

**Title:** An Ordinance adopting an official Land Use Plan providing for the creation of zoning districts in the unincorporated area of Pinal County, Arizona; prescribing area requirements, the classes of uses of buildings, structures, improvements and premises in several zoning districts; adopting a map of zones; and defining the terms used in the Ordinance.

The Board of Supervisors of Pinal County, Arizona, do ordain as follows:

**ARTICLE 1**

**SHORT TITLE:**

**Sec. 101** This Ordinance may be referred to as The County Zoning Ordinance.

**ARTICLE 2**

**GENERAL PURPOSE AND ADOPTION OF OFFICIAL LAND USE PLAN  
AND ZONING ORDINANCE:**

**Sec. 201** For the promotion and protection of the public health, peace, safety, comfort, convenience and general welfare and in order to secure for the citizens of Pinal County, Arizona, the social and economic advantages of an orderly, efficient use of land, and as a part of the Master Plan for the county, there is hereby adopted and established an official Land Use Plan and Zoning Ordinance for Pinal County, Arizona, and rules, regulations and plans by which the future growth and development of the county may be directed in accordance with the plan and Ordinance, as provided in the County Planning and Zoning Act of 1949, A.R.S. § 11-801, ET.SEQ.

**ARTICLE 3**

**APPLICATION OF PLAN AND ORDINANCE:**

**Sec. 301** **GUIDING PRINCIPLES:** The following principles and rules are hereby adopted as a guide in the use and application of this Ordinance:

- a. The powers of the Board of Supervisors, the Planning and Zoning Commission, the Board of Adjustment, the Zoning Inspector and all other persons or agencies charged with the administration of this Ordinance shall be strictly limited by the expressed intent of the Legislature in the enactment of the Planning and Zoning Act of 1949, and by the language of this Ordinance.
- b. All terms used herein shall be interpreted according to their common, plain, natural and accepted usage when not otherwise defined herein.
- c. In any dispute concerning the application of any provision of this Ordinance, that solution shall be favored which is most reasonable with regard to the general purpose of this Ordinance and the established and accepted principles of American planning and zoning law.
- d. The application of this Ordinance to any property or use classified herein shall be governed by all the particular facts in each individual case, and the fundamental rights of any individual owner shall not be prejudiced by reason of his being in a minority, either in number or in land interests concerned in the application.
- e. The right of every affected property owner to petition and to be heard whenever the application of this Ordinance is at issue shall be strictly observed at all times.
- f. No special favors or privileges shall be granted to any individual or group of property owners and no permit shall be issued under the terms of this Ordinance which will or might reasonably tend to destroy the established economic or social uses and values of adjacent or surrounding properties.  
On every application of this Ordinance to any given area, the relative importance of the interests involved shall be as follows:

First, established conforming uses of adjacent or surrounding properties having an equal or higher classification;

Second, the cost of tax-supported and other public services to the area affected, and the increased or decreased share of this cost which might be borne by the area if a proposed use or change of classification is permitted; and

Third, the value of the proposed classifications and uses to the orderly development of the neighborhood or area affected.

- g. The theory and use of "spot" zoning is hereby specifically repudiated in the application of any classification of this Ordinance to any given land area.

**Sec. 302**

**REGULATIONS:** Except as hereinafter provided:

- a. All property, except that covered by statutory exemptions, shall be hereby governed according to the type of zone in which it is located, as shown on the zoning maps adopted and made part hereof, and shall be subject to the regulations set forth for such zones, the regulations applying to specific uses and the general regulations of this Ordinance.
- b. No building shall be erected and no existing building shall be moved, altered, added to or enlarged nor shall any building or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this Ordinance or amendments thereto as permitted in the zone in which such land, building or premises is located.
- c. No building shall be erected, nor shall any existing building be moved, reconstructed or structurally altered to exceed in height the limit established by this Ordinance or amendments thereto for the zone in which such building is located.
- d. No building shall be erected, nor shall any existing building be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the building-site requirements and the area and yard regulations established by this Ordinance or amendments thereto for the zone in which such building is located.
- e. No yard or other open space provided about any building for the purpose of complying with the regulations of this Ordinance or amendments thereto shall be considered as providing a yard or open space for any other building or structure.
- f. No structure shall be erected in a required front yard, side yard or rear yard, except as specifically permitted herein.
- g. The express enumeration and authorization of a particular class of building, structure, premises, or use in a zone shall be deemed a prohibition of such building, structure, premises or use in all other zones of more restrictive classification.

**Sec. 303**

**STATUTORY EXEMPTIONS:** As specified in Section 16, Ch. 58, Laws 1949, A.R.S. § 11-830, the provisions of this Ordinance shall not prevent, restrict or otherwise regulate in any district or zone the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agriculture purposes, as defined herein provided the tract or premises so used is not less than five (5) contiguous commercial acres. Land shall be classified as being used for grazing purposes when 50% or more of the owner's income from the land is derived from the use or from the rental of the land for grazing purposes, and the land shall be classified as being used for general agricultural purposes when 50% or more of the owner's income from the land is derived from the production of agricultural products or from the rental of the land for the production of agricultural products.

**Sec. 304**

**NON-CONFORMING USES EXEMPTED:** As specified in A.R.S. §11-830, the provisions of this Ordinance shall not affect existing uses of property or the right to its continued use or the reasonable repair or alteration for the purpose of this use at the time this Ordinance becomes effective. A non-conforming business use within any district or zone shall have the right to expansion, provided it does not exceed 100% of the area of the original business. Business uses as used in this Section shall be limited to the uses described in Section 1401-b, 1501-b, 1601-b, 1601-c, 1701-c, 1701-d, 1801-b, and 1801-d, of this Ordinance. Area of the original business is defined as being any land or building, or both,

improved for a business purpose.

**Sec. 305      NON-CONFORMING USE OF LAND:** The lawful use of land existing at the time this Ordinance becomes effective, or on the effective date of any amendment of the text or of the maps hereof, although such use does not conform to the provisions hereof for the land, may be continued, but if such non-conforming use is discontinued for a period of twelve (12) months, any future use of the land shall be in conformity with the provisions of this Ordinance.

**Sec. 306      NON-CONFORMING USE OF BUILDINGS:** The lawful use of a building existing at the time this Ordinance becomes effective, although such use does not conform with the provisions hereof for such building, and such use may be continued provided no structural alterations, except those required by law or Ordinance or permitted by the Board of Adjustment, under this Ordinance are made. If any such non-conforming use is discontinued for a period of twelve (12) months, any future use of the building shall be in conformity with the provisions of this Ordinance, provided that the owner of any building which is under construction or vacant on the effective date of this Ordinance and is designed for a use not in conformity with the zoning classification in which it is located on said date, may upon application, have a certificate of non-conforming use issued by the Zoning Inspector within 60 days from the effective date of this Ordinance, which certificate shall establish the non-conforming character of the building for a period not to exceed twelve (12) months from the effective date of this Ordinance. Occupancy of the building by a use permitted under the certificate during the period, shall establish the use as a non-conforming use under this section. A certificate for an additional period of not more than 12 months may be granted by the Board of Adjustment at or before the expiration of the original certificate upon the showing of extreme hardship and that the surrounding area would not be subject to additional damage:

**Sec. 307      ALTERATION OF NON-CONFORMING BUILDINGS:** No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations of this Ordinance for the zone in which located shall be enlarged, extended, reconstructed or structurally altered unless such building and such enlargement, extension, reconstruction and structural alterations, and the further use thereof, conform in every respect with the regulations specified by this Ordinance for such zone in which the building is located, except a non-conforming business use as provided in Section 304, but nothing in this Section shall authorize the violation of any setback, health or sanitary law, ordinance or regulation not a part of this Ordinance.

**Sec. 308      DESTROYED NON-CONFORMING BUILDINGS:** If, at any time, any building in existence or maintained at the time this Ordinance becomes effective, and which does not conform to the regulations for the zone in which it is located, shall be destroyed by fire, explosion, Act of God or act of the public enemy to the extent of 100% of its value, the owner shall have the right to rebuild for the use, provided the structure is rebuilt in conformance with the requirements of the most restrictive zone in which the non-conforming use would otherwise be permitted and provided a permit for such construction is obtained within three (3) months of the date of destruction and such construction is started within six (6) months of the date of destruction.

# ARTICLE 4

**DEFINITIONS:** For the Purpose of this Ordinance, certain words and terms used herein are defined as follows:

- Sec. 401** When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory. "Supervisors" shall mean the Board of Supervisor of Pinal County, Arizona; "Commission" shall mean the County Planning and Zoning Commission of Pinal County; "Board" shall mean one of the Boards of Adjustment appointed under the authority of this Ordinance, and "County" shall mean Pinal County, Arizona.
- Sec. 402** **ACCESSORY BUILDING:** A subordinate building or portion of the main building on the same lot or building site, the use of which is incidental to that of the main building and which is used exclusively by the occupants of the main building(s) or their non-paying guests or employees.
- Sec. 403** **ACCESSORY USE:** A use customarily incidental and subordinate to the principal use of a lot or building located upon the same lot or building site.
- Sec. 403a** **ACRE** 43,560 square feet
- Sec. 403b** **ACRE, COMMERCIAL:** 36,000 square feet.
- Sec. 404** **AGRICULTURE:** The tilling of the soil, the raising of crops, horticulture, animal husbandry and uses customarily incidental thereto; but not including commercial slaughter houses, stockyards, meat packing plants, fertilizer yards, or plants for the reduction of animal matter.
- Sec. 405a** **AIRCRAFT:** Any motorized machine for traveling through the air for the purpose of carrying people.
- Sec. 405b** **AIRPORT, COMMERCIAL:** An airport, landing strip or landing field used by or available to commercial carriers, flight training or flying schools, private pilots or owners of non-commercial aircraft on a commercial basis.
- Sec. 406** **AIRPORT, PRIVATE:** An airport, landing strip or landing field owned and used by owners of non-commercial aircraft, including private bona fide flying clubs, on a non-commercial basis.
- Sec. 407** **ALLEY:** A way dedicated to the public which affords a secondary means of access to contiguous property.
- Sec. 408** **APARTMENT HOUSE:** (See Dwelling, Multiple)
- Sec. 409** **(DELETED 4-19-00)**
- Sec. 410** **BASEMENT:** A story partly underground and having at least one-half of its height, measured from its floor to its finished ceiling, below the average grade. A basement shall be counted as a story if the vertical distance from the average adjoining grade to its ceiling is over 5 feet.
- Sec. 411a** **BED AND BREAKFAST:** A dwelling (conventional construction only), or portion thereof, where short-term lodging rooms and meals are provided, for compensation. The operator shall live on the premises or in adjacent premises.
- Sec. 411b** **BOARDING OR ROOMING HOUSE:** A building, other than a hotel, where lodging is provided, with or without meals, for compensation, not primarily for transients.

- Sec. 412 BUILDABLE AREA:** The net portion of the lot remaining after deducting all required yards from the gross area of a lot or building site.
- Sec. 413 BUILDING:** For the purpose of this ordinance, the terms “Building” and “Structure” shall be synonymous. See STRUCTURE. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.
- Sec. 414 BUILDING HEIGHT:** The vertical distance from the average finished grade at the front of the building to the highest point of a building, exclusive of chimneys.
- Sec. 415 BUILDING SITE:** The ground area of a building or buildings together with all adjacent open spaces as required by this Ordinance.
- Sec. 416 BULK STATION:** A place where liquified petroleum, gas, and crude liquid are stored in wholesale quantities where the aggregate capacity of all storage tanks is more than 10,000 gallons.
- Sec. 416a CAMPGROUND:** An area or tract of land where space is rented or held out for rent to tent campers furnishing their own camping equipment or where free camping is permitted owners or users of tent camping equipment for the purpose of securing their trade.
- Sec. 417 CHURCH:** A building or group of buildings used primarily as a place of communion or worship. Includes convents, religious education buildings and parish houses, but not parochial schools.
- Sec. 417a CLUB OR LODGE:** A regularly constituted association of persons who have some common social purpose and which derives not more than one-half of its revenue or income from the sale of goods and services to its members or others.
- Sec. 418 COMMERCIAL ACRE:** 36,000 square feet of land.
- Sec. 419 COMMUNITY SERVICE AGENCY:** An organization such as an orphanage, home for the aged, Y.M.C.A., Y.W.C.A., Boy Scouts or Girl Scouts, C.Y.O., Y.M.H.A., Campfire Girls, or any similar agency organized as a non-profit corporation or supported in whole or in part by public subscription and primarily established to serve the social or welfare needs of the community or any part thereof, and not organized for the personal profit of any individual, group of individuals, or corporation.
- Sec. 419a. CONVENTIONAL CONSTRUCTION:** A building constructed on a permanent site, using individual structural components. See Section 2330 for additional construction types which are not conventional construction.
- Sec. 420a. DAIRY:** A facility constructed for the purpose of extracting and conditioning milk from cows bred for the purpose of milk production. The facility is so constructed as to have confinement of these cows in pens, with bunk or bunk type feeding.
- Sec. 421a DWELLING:** A building or portion thereof designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings, duplexes, townhouses, triplexes, manufactured homes, mobile homes, modular homes, and multiple-family dwellings, but not including hotels, motels, boarding, and lodging houses.
- Sec. 421b DWELLING, DUPLEX:** A building containing only two dwelling units.
- Sec. 422 DWELLING, MULTIPLE:** A building or portion thereof containing three or more dwelling units.
- Sec. 423 DWELLING, ONE-FAMILY:** A building containing only a single dwelling unit.

- Sec. 424 DWELLING GROUP:** A group of two or more detached or semi-detached one-family, duplex or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, including house court and apartment court, but not including tourist court.
- Sec. 425 DWELLING UNIT:** A room or suite of 2 or more rooms that is designed for, or is occupied by one family doing its own cooking therein and having only one kitchen.
- Sec. 425a FACTORY BUILT BUILDING (MODULAR):** See Section 2330.a.
- Sec. 426 FAMILY:** Any number of individuals related by blood or marriage or not more than 5 unrelated persons customarily living together as a single housekeeping unit, and using common cooking facilities, as distinguished from a group occupying a hotel or club. A family shall be deemed to include domestic servants.
- Sec. 427 FERTILIZER YARD OR PROCESSING PLANT:** A place where animal matter is collected, processed or stored on a commercial basis.
- Sec. 428 GARAGE, PRIVATE:** An accessory building or portion of the main building designed or used for the shelter or storage of self-propelled vehicles owned or operated by the occupants of the main building.
- Sec. 429 GARAGE, PUBLIC:** Premises, except those defined as a private or storage garage, used for the storage or care of self-propelled vehicles or where such vehicles are equipped for operation, or repaired, or kept for hire or sale.
- Sec. 430 GARAGE, STORAGE:** Premises, other than those defined as a private garage or public garage used exclusively for the storage of self-propelled vehicles, and for no other purpose whatever.
- Sec. 431 GRAZING:** The feeding of domestic livestock on open range or fenced pasture for commercial purposes and incidental uses; but not including commercial slaughter houses, stockyards, fertilizer yards, bone yards or plants for the reduction of animal matter.
- Sec. 432a GUEST HOUSE:** An attached or detached accessory building with no cooking facilities, used to house guests of the occupants of the principal building, and which is never rented or offered for rent.
- Sec. 432b GUEST RANCH:** A resort hotel and/or group of buildings containing sleeping units, having a building site of not less than 4 commercial acres.
- Sec. 433 HOME OCCUPATION:** An activity carried on by the occupant of a dwelling as a secondary use, including professional and semi-professional offices, when conducted and entered from within the dwelling, in connection with which there is no public display of stock-in-trade upon the premises, not more than one non-resident of the premises is employed and not more than one-fourth of the floor area of one story of the main building or a detached home workshop of not more than 200 square feet in area is used for such home occupation; and provided that the residential character of the dwelling is not changed by the use and that such occupation does not cause any sustained or unpleasant or unusual noises or vibrations, or noxious fumes or odors, or cause any parking or traffic congestion in the immediate neighborhood.
- Sec. 434 HOSPITAL:** A building or group of buildings arranged, intended, designed or used for the housing, care, observation and treatment of sick human beings.
- Sec. 435 HOTEL:** A building containing 6 or more guest rooms, in which lodging is provided and offered to the public for compensation and which is open to transient guests, together with accessory commercial uses operated primarily for the convenience of the guests.
- Sec. 436a HOTEL, RESORT:** A hotel, the buildings of which occupy not more than 30% of the

- building site.
- Sec. 436b KENNEL:** Any premises that are used for the commercial breeding, boarding, training, grooming or bathing of dogs, cats, and/or other small domesticated household pets (not farm animals), or for the breeding or keeping of dogs for racing purposes. (NOTE: See ARS 11-1001)
- Sec. 437 KITCHEN:** Any room in a building which is used, intended or designed to be used for cooking or preparation of food.
- Sec. 438 JUNK YARD:** The commercial use of more than 200 square feet of the area of any parcel of land for the storage, keeping, display or abandonment of salvageable or recyclable parts, materials, junk, or scrap or for the dismantling, demolition or abandonment of vehicles or machinery.
- Sec. 439 LOT:** An area or parcel of land under one ownership abutting upon at least one street or area or parcel of land as shown with a separate and distinct number on a subdivision tract map or split-lot map recorded with the County Recorder of Pinal County, Arizona.
- Sec. 440 LOT, CORNER:** A lot located at the junction of 2 or more intersecting streets, having an interior angle of less than 135 degrees, with a boundary line bordering on 2 of the streets. The point of intersection of the street lot lines is the corner.
- Sec. 441 LOT, INTERIOR:** A lot which is not a corner lot.
- Sec. 442 LOT, KEY:** A lot abutting along the entire length of at least one of its side lot lines, either directly or across an alley, the rear lot line of any other lot; or a lot situated between 2 such key lots.
- Sec. 443 LOT, THROUGH:** An interior lot having frontage on 2 parallel or approximately parallel streets.
- Sec. 444 LOT DEPTH:** The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.
- Sec. 445 LOT LINE:** A property line bounding a lot.
- Sec. 446 LOT LINE, FRONT:** In the case of a lot abutting only one street, the line separating such lot from the street. In the case of a corner or through lot, the owner may elect any street lot line as the front lot line, provided such choice in the opinion of the Zoning Inspector will not be injurious to the existing or desirable future development of the adjacent properties.
- Sec. 447 LOT LINE, REAR:** The lot line which is opposite and most distant from the front lot line. The rear lot line of an irregular or triangular lot shall, for the purpose of this Ordinance, be a line entirely within the lot at least 10 feet long and parallel to and most distant from the front lot line.
- Sec. 448 LOT LINE, SIDE:** Any lot line not a front lot line or a rear lot line, a side lot line separating a lot from a street is a street side lot line. A side lot line separating from another is an interior side lot line.
- Sec. 449 LOT LINE, STREET OR ALLEY:** A lot line separating a lot from a street or alley.
- Sec. 450 LOT WIDTH:** The mean horizontal width of the lot measured at right angles to the depth.
- Sec. 450a. MANUFACTURED HOME:** See Section 2330.b
- Sec. 450b. MANUFACTURED/MOBILE HOME PARK:** A parcel of land on which two or more manufactured/mobile homes are occupied as residences, regardless of whether or not a charge is made for such accommodations. This definition does not include parcels having valid "Exemption Certificates" recorded in the Pinal County Recorder's Office.

- Sec. 450c. MANUFACTURED/MOBILE HOME SPACE:** A plot of ground within a manufactured/mobile home park designed for the accommodation of one (1) manufactured/mobile home together with its accessory structures or uses.
- Sec. 451 METALLURGICAL:** Includes the land used in treating and reducing metal bearing ores by mechanical, physical or chemical methods on a commercial basis and uses incidental thereto but does not include permanent residential housing or the fabrication of metals or metal materials.
- Sec. 452 MINING:** Includes the land necessary or incidental to the digging, excavating or otherwise procuring minerals and ores found in their natural state, but does not include permanent residential housing or the operating of a rock crusher.
- Sec. 452a MOBILE HOME:** See Section 2330c
- Sec. 452b MODULAR HOME:** See Section 2330a
- Sec. 452c MOTEL:** A building or group of buildings on the same lot, whether detached or in connected rows, containing individual sleeping or dwelling units and designed for or occupied by automobile travelers or other transient tenants.
- Sec. 453 NON-CONFORMING USE:** Use of building or of land that does not conform to the regulations as to use for the district in which it is situated.
- Sec. 454 NURSERY:** A place where young trees or other plants are raised for transplanting or for sale; does not include commercial fertilizer yard or processing plant.
- Sec. 454a. PARK MODEL:** A dwelling unit defined by A.R.S. § 41-2142-29 © as built on a single chassis mounted on wheels, designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet exterior horizontal dimension in the setup mode.
- Sec. 455 PROFESSIONAL:** Includes accountants, architects, chiroprodists, chiropractors, dentists, engineers, lawyers, naturopaths, osteopaths, physicians, surgeons, surveyors, veterinarians.
- Sec. 456 RAILROAD:** Includes the land used for general railroad purposes, including main line and switching trackage, repair shops, stations, communications equipment, round houses and storage facilities; does not include railroad equipment (miniature or otherwise) operated by its owner as a hobby or as a part of the equipment of an amusement resort.
- Sec. 456a RECREATIONAL VEHICLE (RV)/TRAVEL TRAILER:** A vehicular type unit, not exceeding eight (8) feet in width nor more than forty (40) feet in length primarily designed as temporary living quarters for recreational, camping or travel use. The unit either may have its own motive power or may be mounted on or drawn by another vehicle upon the highway.
- Sec. 456b RECREATIONAL VEHICLE (RV) PARK:** Any plot of ground upon which two or more recreational vehicles-travel trailers (RV) are occupied for dwelling or sleeping purposes, regardless of whether or not a charge is made for such accommodations.
- Sec. 457 SANATORIUM (includes "Sanitarium" and "Rest Home"):** A building or group of buildings, arranged, intended, designed or used for the housing, care or treatment of sick people or convalescents other than those mentally ill or afflicted with infectious, contagious or communicable diseases.
- Sec. 458 SEMI-PROFESSIONAL:** Includes insurance brokers, photographic studios, public stenographers, real estate brokers, stock brokers, and other persons who operate or conduct offices which do not require the stocking of goods for sale at wholesale or retail; does not include barbers, beauty operators, cosmetologists, embalmers, or morticians.



- Sec. 458a**      **SERVICE STATION:** A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor vehicles, including minor repair activities which are subordinate to the sale of petroleum products.
- Sec. 459**      **SETBACK LINES:** Setback lines are lines established generally, but not always parallel to the center line of a street between which no part of a building or structure may be erected or projected except as otherwise provided in this Ordinance.
- Sec. 460**      **STABLE, COMMERCIAL:** A stable for horses which are let, hired, used or boarded on a commercial basis for compensation.
- Sec. 461**      **STABLE, PRIVATE:** A stable for horses which are used by the owners of the property and their guests without compensation.
- Sec. 462**      **STORY:** The space in a building between the surface of any floor and the finished ceiling next above it, or the finished under surface of the roof directly above that particular floor.
- Sec. 463**      **STREET:** A way dedicated to the public which affords the principal means of access to abutting property.
- Sec. 464**      **STRUCTURE:** Anything constructed or erected the use of which required location on the ground or attachment to something having a location on the ground. That which is built up or composed of parts joined together in some manner and which requires location on the ground or which is attached to something having a location on the ground, but not including walls and fences less than 4 ½ feet in height when located in front yards, or less than 6 feet in height when located in side or rear yards. This definition shall include, for the purpose of this ordinance, a manufactured home, mobile home and accessories thereto. For the purpose of this ordinance, the terms "Building" and "Structure" shall be synonymous. See BUILDING.
- Sec. 465**      **STRUCTURAL ALTERATIONS:** Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists, or which expands the height, bulk or area thereof.
- Sec. 465a**      **SUBDIVISION:** Land subdivided or proposed to be subdivided for the purpose of sale or lease, whether immediate or future, into six or more lots or parcels.
- Sec. 468**      **(DELETED 3-25-91)**
- Sec. 469**      **(DELETED 3-25-91)**
- Sec. 470**      **YARD:** An unoccupied space on a building site and, except as otherwise provided in this Ordinance, unobstructed from ground to sky.
- Sec. 471**      **YARD, FRONT:** A yard extending the full width of the building site between the front lot line and the nearest line of the main building or the nearest line of any enclosed or covered porch.
- Sec. 472**      **YARD, REAR:** A yard extending across the full width of the building site between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch. Where a rear yard abuts a street it shall meet the front yard requirements.
- Sec. 473**      **YARD, SIDE:** A yard extending from the front yard to the rear yard between the side lot line and nearest line of the main building.
- Sec. 474**      **YARD, STREET SIDE:** A yard extending from the front yard to the rear yard between the street lot line and the nearest line of the main building.

# ARTICLE 5

## ZONES, MAPS AND BOUNDARIES: (Amended 3-25-91)

**Sec. 501** **ZONES:** For the purpose of this Ordinance, the following types of zones are hereby established:

Rural:

CAR	Commercial Agriculture Ranch Zone
SR	Suburban Ranch Zone
SR-1	Suburban Ranch Zone
SH	Suburban Homestead Zone
GR	General Rural Zone
GR-5	General Rural Zone
GR-10	General Rural Zone

Residential:

CR-1A	Single Family Residence
CR-1	Single Family Residence
CR-2	Single Family Residence
CR-3	Single Family Residence
CR-4	Multiple Residence Zone
CR-5	Multiple Residence Zone
OS	Open Space
MH	Manufactured/Mobile Home Zone (Amended 3-25-91)
RV	Recreational Vehicle Homesite Zone
MHP	Manufactured/Mobile Home Park Zone (Amended 3-25-91)
PM/RVP	Park Model/Recreational Vehicle Park Zone (Amended 11-30-92)
TR	Transitional Zone

Business:

CB-1	Local Business Zone
CB-2	General Business Zone

Industrial:

CI-B	Industrial Buffer Zone
CI-1	Light Industry & Warehouse Zone
CI-2	Industrial Zone

**Sec. 502** **MAPS:** The boundaries of zones are hereby established as shown on maps entitled Pinal County Zoning Maps and numbered and subtitled as follows:

Map A	Zoning Map
Map B	Generalized Land-Use Map
Map C	Major Thoroughfares and Proposed Routes

The Zoning Maps are located in the office of the Clerk of the Board of Supervisors and are hereby adopted and made a part of this Ordinance as fully as if they were set out at or copied at length herein.

**Sec. 503** **DETERMINATION OF BOUNDARIES:** Where uncertainty exists, the boundary of any zone shall be determined as follows:

- a. Where a boundary is indicated as approximately following a street or alley line or the center line thereof, or a lot line, such line shall be construed to be such boundary.
- b. Where a boundary divides a lot, the location of such boundary, unless indicated by dimensions, shall be determined by use of the scale appearing on the zoning map.
- c. Where a public street, alley or railroad or other right-of-way is vacated or abandoned, the zone applied to abutting property shall be thereafter deemed to extend to the center line of such vacated or abandoned right-of-way.
- d. Questions concerning the exact location of boundaries not covered above shall be determined by the Board of Adjustment

## ARTICLE 6

### SR SUBURBAN RANCH ZONE:

#### Sec. 601

#### USES PERMITTED:

- a. One-family dwelling unit, conventional construction, manufactured home, or mobile home.
- b. Commercial agricultural uses:
  1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards, aviaries and apiaries.
  2. The raising and marketing of poultry, rabbits and small animals, but no slaughtering of other than such raised on the premises.
  3. The grazing and raising of livestock, except that not more than one hog, weighing more than 50 pounds, may be kept per commercial acre.
- c. Guest Ranch, in accordance with Article 19, Guest Ranch Regulations.
- d. Public Park, public or parochial school.
- e. Church, providing the minimum off-street parking requirements, as set forth in Article 21, are met.
- f. **(DELETED 4/19/00)**
- g. Professional or semi-professional office or studio, home occupation, and the employment of persons not residing on the premises.
- h. Accessory building or use.
- i. A stand not more than 200 square feet in area for the sale of farm products grown or produced on the premises provided the stand is no closer than 10 feet to any street lot line and no closer than 20 feet to any other lot line.
- j. Airport, airstrip or landing field, provided that the runway shall be no closer than 600 feet from any boundary of a site of not less than 160 acres, and, provided further, that the applicant for a permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 1,320 feet of the required 160 acre site for which the permit is sought.
- k. College, community service agency, governmental structure, library, museum, playground or athletic field, private school, provided that the use shall be located on a site of not less than 10 acres, that the improvements shall occupy not more than 30% of the site, that no playground or athletic field be located closer than 100 feet to any property line, and that all roads and parking areas be surfaced with a material which will minimize the creation of dust.
- l. Commercial riding stable or riding school, provided that the use shall be located on a site of not less than 20 acres, and provided that all stables, barns, animal sheds, or shelters shall be no less than 100 feet from any property line. There shall be no feeding or disposal of garbage, rubbish or offal unless a permit is issued by the Pinal County Health Department. The permit shall be for a stipulated period not to exceed 3 years, and, provided further, that the applicant for the permit shall provide the Zoning Inspector the written consent of no less than 51% of the owners, by number and area, of property within 300 feet of the area for which the permit is sought.
- m. Hospital, clinic, dispensary or sanatorium, provided that the building site is not less than 4 commercial acres, that any buildings occupy not more than 30% of the building site, and are located at least 50 feet from any boundary line of the site, and that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 300 feet of the building site.
- n. Private, athletic, sport or recreation club, or lodge, provided that the building site contains not less than 10 acres, that no building be erected closer than 100 feet to any boundary of the site, that all outdoor lighting be controlled so as not to reflect on any area beyond the boundary of the site, that no amplifiers or loudspeakers of any kind be installed outside any buildings erected on the site, and provided

further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 300 feet of the building site.

- o. Racetrack or sports stadium, provided that any racetrack conducted for profit must be licensed by the State Racing Commission; that any incidental uses in connection with the racetrack or sports stadium not otherwise permitted in the zone where located shall be first approved by the Board of Adjustment as a use incidental to and commonly associated with a racetrack; that a permit may be issued for a practice racetrack, if operated by the owner of the site, and not conducted for profit or charging admission to spectators; that no portion of any track, stables or grandstand authorized by this subsection shall be within 200 feet of any boundary of its site adjoining any property in a rural or residential zone; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 500 feet of the boundary of the site for which the permit is sought.
- p. **(DELETED 4-19-00)**
- q. Resort hotel, provided the site contains not less than 10 acres, that the buildings occupy no more than 30% of the area of the building site, and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 51% of the owners, by number and area, of property within 300 feet of the building site for which permit is sought.
- r. Veterinary hospital or kennels, provided the site is not less than 5 acres in area, that no building or structure be within 100 feet of any boundary of the site abutting property in a rural or residential zone; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of at least 75% of the owners, by number and area, of property within 300 feet of the building site for which the permit is sought.
- s. Golf course, other than miniature, in private ownership, but open to the public, provided that the use be located on a site of not less than 30 acres; that no building be located nearer than 200 feet to any boundary of the site; that the course shall have not less than 9 holes; that no hole shall be less than 75 yards from its tee; that no tee or cup be located closer than 100 feet to any boundary of the site; that any driving range shall be placed so that flying balls will be directed toward the interior of the site; that all outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site; that no amplifier or loud speakers of any kind be installed other than within a completely enclosed building on the site; that off-street parking be provided for not less than 100 vehicles for each 9 holes of the course; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners by number and area, of all property within 300 feet of the boundary of the site for which the permit is sought.
- t. Cemetery or crematory, provided a site of not less than one acre be provided for a pet cemetery and not less than 5 acres for a human cemetery; that no crematory be erected closer than 500 feet from any boundary of the site which adjoins property in a rural or residential zone; and provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 300 feet of the site for which the permit is sought.
- u. Radio or television tower or station, provided that any tower be no closer to any boundary of the site than the height thereof, and that any station occupy no more than 30% of the site, and be located at least 50 feet from any boundary line of the site.
- v. Motion Picture studio, provided that the site is not less than 40 acres in area, that no building or structure is within 100 feet of the boundary of the site, that permanent buildings and structures occupy in total not more than 50% of the area of the required minimum site, that all outdoor lighting is controlled so as not to reflect on any adjoining property in residential use, and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of

- the owners, by number and area, of property within 1,000 feet of the site.
- w. Bar or cocktail lounge as an accessory use to a private athletic, sport or recreation club, or lodge (n); racetrack or sports stadium (o); resort hotel (q); golf course club house (s).

**Sec. 603 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 604 MINIMUM LOT AREA:** 144,000 square feet. (3.30 acres)

**Sec. 605 MINIMUM LOT WIDTH:** None.

**Sec. 606 MINIMUM AREA PER DWELLING UNIT:** 144,000 square feet (3.30 acres)

**Sec. 607 MINIMUM FRONT YARD:** 50 feet.

**Sec. 608 MINIMUM SIDE YARDS:** 10 feet each.

**Sec. 609 MINIMUM REAR YARD:** 50 feet.

**Sec. 610 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: One-third of the total area of the rear and side yards.
- b. Maximum Height: 20 feet.
- c. Minimum Distance to main building: 7 feet.
- d. Minimum distance to front lot line: 100 feet.
- e. Minimum Distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 100 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

# ARTICLE 6-1A

## SR-1 SUBURBAN RANCH ZONE:

### Sec. 625 USES PERMITTED:

- a. One-family dwelling unit, conventional construction or manufactured home.
- b. Commercial agricultural uses:
  1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards, aviaries and apiaries.
  2. The raising and marketing of poultry, rabbits and small animals, but no slaughtering of other than such raised on the premises.
  3. The grazing and raising of livestock, except that not more than one hog, weighing more than 50 pounds, may be kept per commercial acre.
- c. Guest Ranch, in accordance with Article 19, Guest Ranch Regulations.
- d. Public Park, public or parochial school.
- e. Church, providing the minimum off-street parking requirements, as set forth in Article 21, are met.
- f. Professional or semi-professional office or studio, home occupation, and the employment of persons not residing on the premises.
- g. Accessory building or use.
- h. A stand not more than 200 square feet in area for the sale of farm products grown or produced on the premises provided the stand is no closer than 10 feet to any street lot line and no closer than 20 feet to any other lot line.
- i. College, community service agency, governmental structure, library, museum, playground or athletic field, private school, provided that the use shall be located on a site of not less than 10 acres, that the improvements shall occupy not more than 30% of the site, that no playground or athletic field be located closer than 100 feet to any property line, and that all roads and parking areas be surfaced with a material which will minimize the creation of dust.
- j. Commercial riding stable or riding school, provided that the use shall be located on a site of not less than 20 acres, and provided that all stables, barns, animal sheds, or shelters shall be no less than 100 feet from any property line. There shall be no feeding or disposal of garbage, rubbish or offal unless a permit is issued by the Pinal County Health Department. The permit shall be for a stipulated period not to exceed 3 years, and, provided further, that the applicant for the permit shall provide the Zoning Inspector the written consent of no less than 51% of the owners, by number and area, of property within 300 feet of the area for which the permit is sought.
- k. Golf course, other than miniature, in private ownership, but open to the public, provided that the use be located on a site of not less than 30 acres; that no building be located nearer than 200 feet to any boundary of the site; that the course shall have not less than 9 holes; that no hole shall be less than 75 yards from its tee; that no tee or cup be located closer than 100 feet to any boundary of the site; that any driving range shall be placed so that flying balls will be directed toward the interior of the site; that all outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site; that no amplifier or loud speakers of any kind be installed other than within a completely enclosed building on the site; that off-street parking be provided for not less than 100 vehicles for each 9 holes of the course; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners by number and area, of all property within 300 feet of the boundary of the site for which the permit is sought.

- Sec. 626**      **MAXIMUM BUILDING HEIGHT:** 2 stories or 30 feet, but in no event exceed 30 feet in height.
- Sec. 627**      **MINIMUM LOT AREA:** 144,000 square feet. (3.30 acres)
- Sec. 628**      **MINIMUM LOT WIDTH:** None.
- Sec. 629**      **MINIMUM AREA PER DWELLING UNIT:** 144,000 square feet (3.30 acres)
- Sec. 630**      **MINIMUM FRONT YARD:** 50 feet.
- Sec. 631**      **MINIMUM SIDE YARDS:** 10 feet each.
- Sec. 632**      **MINIMUM REAR YARD:** 50 feet.
- Sec. 633**      **DETACHED ACCESSORY BUILDINGS:**
- a.      Permitted coverage: One-third of the total area of the rear and side yards.
  - b.      Maximum Height: 20 feet.
  - c.      Minimum Distance to main building: 7 feet.
  - d.      Minimum distance to front lot line: 100 feet.
  - e.      Minimum Distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 100 feet if building is used for poultry or animals.
  - f.      A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

# ARTICLE 7

## SH SUBURBAN HOMESTEAD ZONE:

- Sec. 701**                   **USES PERMITTED:**
- a.       Any use permitted in the SR zone.
  - b.       Duplex dwelling.
- Sec. 702**                   **BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 703**                   **MINIMUM LOT AREA:** 87,120 square feet (2 acres). (Amended 12-20-82)
- Sec. 704**                   **MINIMUM LOT WIDTH:** 100 feet.
- Sec. 705**                   **MINIMUM AREA PER DWELLING UNIT:** 87,120 square feet (2 acres). (Amended 12-20-82)
- Sec. 706**                   **MINIMUM FRONT YARD:** 30 feet.
- Sec. 707**                   **MINIMUM SIDE YARD:** 10 feet.
- Sec. 708**                   **MINIMUM REAR YARD:** 40 feet.
- Sec. 709**                   **MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 20 feet.
- Sec. 710**                   **DETACHED ACCESSORY BUILDINGS:**
- a.       Permitted coverage: one-third of the total area of the rear and side yards.
  - b.       Maximum height: 20 feet.
  - c.       Minimum distance to main building: 7 feet.
  - d.       Minimum distance to front lot line: 60 feet.
  - e.       Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
  - f.       A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.



**ARTICLE 7-1A**

**CAR - COMMERCIAL AGRICULTURE RANCH ZONE: <sup>60</sup> (Adopted 6-7-71)**

(To be used as buffer classification in areas where CI-2 Heavy Industry is located.)

**Sec. 725A USES PERMITTED:**

- a. One-family dwelling unit, conventional construction or manufactured home or mobile home.
- b. Grouped residences (employee housing) provided no building is erected closer than 20 feet to any other building on said site. When six (6) or more dwellings are built on any one site the Pinal County Subdivision Regulations shall be complied with.
- c. Commercial agricultural uses:
  1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards, aviaries and apiaries.
  2. The raising and marketing of poultry, rabbits and small animals, but slaughtering of only those raised on the premises.
  3. The grazing and raising of livestock, except that not more than one hog may be kept per acre.
- d. A stand not more than 200 square feet in area for the sale of farm products grown or produced on the premises.
- e. Veterinary hospital or kennels provided the site is not less than 5 acres in area, that no building or structure be within 100 feet of any boundary of said site abutting property in a rural or residential zone.
- f. Commercial riding stable or riding school, provided that said use shall be located on a site of not less than 20 acres and provided that all stables, barns, animal sheds, or shelters be not less than 100 feet from any property line of a more restrictive zone.
- g. Cemetery or crematory, provided a site of not less than one acre be provided for a pet cemetery and not less than 5 acres for a human cemetery; that no crematory be erected closer than 500 feet from any boundary of the site which adjoins property in a rural or residential zone.
- h. Livestock sales yard or auction yard, provided the site where located is not less than one-half mile from any residential restricted zone in which the use requested is prohibited, and provided further, that the site is not less than 20 acres in area and applicant shall provide the Zoning Inspector with the written consents of 51% of the owners by number and area of property within 300 feet of proposed site.
- i. Such other uses as the Planning Commission may deem appropriate in securing efficient land development.

**Sec. 726A BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.

**Sec. 727A MINIMUM LOT AREA:** 174,240 square feet (4 acres).

**Sec. 728A MINIMUM LOT WIDTH:** None.

**Sec. 729A MINIMUM LOT AREA PER DWELLING UNIT:** 174,240 square feet.

**Sec. 730A MINIMUM FRONT YARD:** 50 feet.

**Sec. 731A MINIMUM SIDE YARD:** 10 feet.

**Sec. 732A MINIMUM REAR YARD:** 50 feet.

**Sec. 733A DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum heights: 25 feet within required rear yard, 35 feet within buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 100 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

# ARTICLE 8

## GR GENERAL RURAL ZONE:

(Holding classification pending more intensive development of area)

### Sec. 801

#### USES PERMITTED:

- a. One-family dwelling unit, conventional construction or manufactured home or mobile home.
- b. Commercial agricultural uses:
  1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, plant nurseries and green houses, orchards, aviaries and apiaries.
  2. The raising and marketing of poultry, rabbits and small animals, but slaughtering of only those raised on the premises.
  3. The grazing and raising of livestock and horses, except that not more than 3 hogs shall be kept or maintained on any parcel, lot or tract under one ownership within 500 feet of any residential zone or more restrictive zone.
- c. Public and quasi-public uses: church, club, museum, library, community service agency, clinic, public park, school, college, playground, athletic field, public or private utility and facilities, governmental structure; athletic, sport or recreation club; and hospital or sanatorium, such buildings shall be located at least 50 feet from any boundary line of the site.
- d. **(DELETED 4-19-00)**
- e. Fruit, vegetable or agricultural products packing or pro-cessing plant, provided it is located on a site of not less than 10 acres and any buildings located thereon occupy not more than 30% of the site area.
- f. Livestock sales yard or auction yard, provided, the site where located is not less than one-half mile from any residential zone or within one-half mile of any exterior boundary of a re-stricted zone or residence district established by any munici-pal corporation in this county in which the use requested is prohibited, and, provided further, that the site is not less than 20 acres in area and applicant shall provide Zoning In-spector with written consent of 51% of the owners by number and area of property within 300 feet of proposed site.
- g. A stand of not more than 200 square feet in area for the sale of farm products grown or produced on the premises provided the stand is not more than 10 feet to any street lot line and not closer than 20 feet to any other lot line.
- h. Public riding stables and boarding stables, providing the site contains not less than 10 acres and the buildings housing animals set back from all lot lines a distance of not less than 100 feet.
- i. Accessory building or use; home occupation, housing for seasonal farm labor, and private stable.
- j. Dairy

**Sec. 802 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 803 MINIMUM LOT AREA:** 54,450 square feet (1¼ acres)

**Sec. 804 MINIMUM LOT WIDTH:** 100 feet

**Sec. 805 MINIMUM AREA PER DWELLING UNIT:** 54,450 square feet (1¼ acres)

**Sec. 806 MINIMUM FRONT YARD:** 40 feet

**Sec. 807 MINIMUM SIDE YARDS:** 20 feet each

**Sec. 808 MINIMUM REAR YARD:** 40 feet

**Sec. 809 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 25 feet

**Sec. 810 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: One-third of the total area of the rear and side yards
- b. Maximum height: 20 feet
- c. Minimum distance to main building: 7 feet
- d. Minimum distance to front lot line: 60 feet
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 15 feet to side lot line and 4 feet to rear lot line if building is used for poultry or small animals; 50 feet if used for livestock.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

**ARTICLE 8-1A**

**GR-5 GENERAL RURAL ZONE:**

**Sec. 812 USES PERMITTED:**

- a. Any use permitted in Sections 801, 802, 804, 806 through 810.

**Sec. 813 MINIMUM LOT AREA:** Five (5) Acres

**ARTICLE 8-1B**

**GR-10 GENERAL RURAL ZONE:**

**Sec. 814 USES PERMITTED:**

- a. Any use permitted in Sections 801, 802, 804, 806 through 810.

**Sec. 815 MINIMUM LOT AREA:** Ten (10) Acres

# ARTICLE 8-1C

## CR-1A SINGLE RESIDENCE ZONE

### Sec. 825-A USES PERMITTED:

- a. One-family dwelling, conventional construction.
- b. Public park, public or parochial school.
- c. Church, providing the minimum off-street parking requirements, in Article 21, Section 2102-e, are met.
- d. A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises. This period may be extended for an additional period of 90 days upon application to the Zoning Inspector.
- e. Agriculture or Horticulture used only for the purposes of propagation and culture and not for retail sales, including any number of poultry, rabbits and similar small animals and not more than 2 head of cattle, horses, sheep or goats, more than 6 months of age, per acre. Swine are not permitted in the district.
- f. Accessory building or use.

**Sec. 826 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 827 MINIMUM LOT AREA:** 1 acre (43,560 square feet).

**Sec. 828 MINIMUM LOT WIDTH:** 100 feet.

**Sec. 829 MINIMUM LOT AREA PER DWELLING UNIT:** 1 acre (43,560 square feet).

**Sec. 830 MINIMUM FRONT YARD:** 30 feet.

**Sec. 831 MINIMUM SIDE YARDS:** 10 feet each.

**Sec. 832 MINIMUM REAR YARD:** 40 feet.

### Sec. 833 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yard.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 30 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

# ARTICLE 9

## CR-1 SINGLE RESIDENCE ZONE

### Sec. 901 USES PERMITTED:

- a. One-family dwelling, conventional construction.
- b. Public park, public or parochial school.
- c. Church, providing the minimum off-street parking requirements , in Article 21, Section 2102-e are met.
- d. A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises, which period may be extended for an additional period of 90 days upon application to the Zoning Inspector.
- e. Agriculture or Horticulture used only for the purposes of propagation and culture and not for retail sales, including any number of poultry, rabbits and similar small animals. and not more than 2 head of cattle, horses, sheep or goats more than 6 months of age per commercial acre. Swine are not permitted in the district.
- f. Home occupation.
- g. Accessory building or use.

**Sec. 902 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 903 MINIMUM LOT AREA:** 20,000 square feet.

**Sec. 904 MINIMUM LOT WIDTH:** 80 feet.

**Sec. 905 MINIMUM LOT AREA PER DWELLING UNIT:** 20,000 square feet.

**Sec. 906 MINIMUM FRONT YARD:** 25 feet.

**Sec. 907 MINIMUM SIDE YARDS:** 10 feet each.

**Sec. 908 MINIMUM REAR YARD:** 25 feet.

**Sec. 909 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 20 feet except as required in Section 2310 for a rear dwelling.

### Sec. 910 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum height: 20 feet.
- c. Minimum distance to main buildings: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

**ARTICLE 10****CR-2 SINGLE RESIDENCE ZONE****Sec. 1001 USES PERMITTED:**

- a. Any use permitted in the CR-1 Zone but horses, cattle, sheep or goats shall not be kept on less than one commercial acre.

**Sec. 1002 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.**Sec. 1003 MINIMUM LOT AREA:** 12,000 square feet.**Sec. 1004 MINIMUM LOT WIDTH:** 60 feet.**Sec. 1005 MINIMUM AREA PER DWELLING UNIT:** 12,000 square feet.**Sec. 1006 MINIMUM FRONT YARD:** 25 feet.**Sec. 1007 MINIMUM SIDE YARDS:** 10 feet each.**Sec. 1008 MINIMUM REAR YARD:** 25 feet.**Sec. 1009 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 20 feet except as required in Section 2310 for a rear dwelling.**Sec. 1010 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

**ARTICLE 11****CR-3 SINGLE RESIDENCE ZONE****Sec. 1101 USES PERMITTED:**

- a. One-family dwelling, conventional construction.
- b. Public park, public or parochial school.
- c. Church, provided the minimum off-street parking requirements, as set forth in Article 21, Section 2102-e, are met.
- d. **(DELETED 4-19-00)**
- e. A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises, which period may be extended for an additional period of 90 days upon application to the Zoning Inspector.
- f. Horticulture, flower and vegetable gardening, nursery or greenhouse used only for propagation and culture and not for retail sales.
- g. Home occupation.
- h. Accessory building or use.

**Sec. 1102 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 1103 MINIMUM LOT AREA:** 7,000 square feet.

**Sec. 1104 MINIMUM LOT WIDTH:** 60 feet.

**Sec. 1105 MINIMUM AREA PER DWELLING UNIT:** 7,000 square feet.

**Sec. 1106 MINIMUM FRONT YARD:** 20 feet.

**Sec. 1107 MINIMUM SIDE YARDS:** 8 feet each.

**Sec. 1108 MINIMUM REAR YARD:** 25 feet to the rear lot line.

**Sec. 1109 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 16 feet, except as required in Section 2310 for a rear dwelling.

**Sec. 1110 BUILDABLE AREA:** Not to exceed 40% of the lot, including all structures, except swimming pools.

**Sec. 1111 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.
- f. Accessory buildings shall be detached from the main building except that they may be attached by means of an unenclosed structure that has only one wall not over 6 feet high which shall be placed on only one side of the structure.



**ARTICLE 12****CR-4 MULTIPLE RESIDENCE ZONE****Sec. 1201 USES PERMITTED:**

- a. Any use permitted in the CR-3 zone.
- b. Duplex dwelling.
- c. Multiple dwelling for not more than 4 families.
- d. Dwelling group consisting of permitted dwelling types in this zone.

**Sec. 1202 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 1203 MINIMUM LOT AREA:** 7,000 square feet.

**Sec. 1204 MINIMUM LOT WIDTH:** 60 feet.

**Sec. 1205 MINIMUM FRONT YARD:** 25 feet.

**Sec. 1206 MINIMUM SIDE YARDS:** 8 feet each.

**Sec. 1207 MINIMUM REAR YARD:** 25 feet.

**Sec. 1208 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 16 feet.

**Sec. 1209 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 30% of the minimum rear yard area plus 50% of any additional space in the rear of the principal building.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.

## ARTICLE 13

### CR-5 MULTIPLE RESIDENCE ZONE

**Sec. 1301 USES PERMITTED:**

- a. Any use permitted in the CR-3, CR-4 zone.
- b. Multiple dwelling for any number of families.
- c. Boarding or rooming house for any number of guests, but not primarily for transients.

**Sec. 1302 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 1303 MINIMUM LOT AREA:** 7,000 square feet.

**Sec. 1304 MINIMUM LOT WIDTH:** 60 feet.

**Sec. 1305 MINIMUM FRONT YARD:** 25 feet.

**Sec. 1306 MINIMUM SIDE YARDS:** 7 feet each.

**Sec. 1307 MINIMUM REAR YARD:** 25 feet.

**Sec. 1308 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 14 feet.

**Sec. 1309 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 35% of the minimum rear yard area plus 50% of any additional space in the rear of the principal building.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.

# ARTICLE 14

## TR TRANSITIONAL ZONE

### Sec. 1401 USES PERMITTED:

- a. Any use permitted in the CR-3, CR-4, and CR-5 zone.
- b. Tourist court or hotel, together with the following accessory uses located on the premises and having no exterior entrance closer than 100 feet to a public street:
  - Retail Shops
  - Personal Services
  - Recreational Facilities
  - Restaurant
  - Beverage Service
- c. Professional or semi-professional office.
- d. Private club or lodge (non-profit).
- e. **(DELETED)**
- f. Club, college, community service agency, governmental structure, library, museum, playground or athletic field, private school.
- g. Community storage garage.
- h. Guest ranch in accordance with Article 19, Guest Ranch Regulations.
- i. Hospital, clinic, dispensary, or sanitarium.
- j. Office, real estate.

Sec. 1402 **BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

Sec. 1403 **MINIMUM LOT AREA:** 10,000 square feet for residential uses.

Sec. 1404 **MINIMUM LOT WIDTH:** 60 feet.

Sec. 1405 **MINIMUM AREA PER DWELLING UNIT:** 1,000 square feet.

Sec. 1406 **MINIMUM FRONT YARD:** 20 feet.

Sec. 1407 **MINIMUM SIDE YARDS:** 7 feet each.

Sec. 1408 **MINIMUM REAR YARD:** 25 feet.

Sec. 1409 **MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 14 feet.

### Sec. 1410 **DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 40% of the minimum rear yard area plus 50% of any additional space in the rear of the principal building.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side lot lines: 4 feet.
- f. Minimum distance to rear lot line: 4 feet if building is not used for poultry or animals; 15 feet if building is used for poultry or animals.

# ARTICLE 15

## CB-1 LOCAL BUSINESS ZONE:

### Sec. 1501

#### USES PERMITTED:

- a. Any use permitted in the Section 1401-b thru 1401-j (TR Transitional zone).
- b. The following uses, which in any CB-1 zone shall be conducted wholly within a completely enclosed building unless otherwise specified and use operated as a store, shop or business, shall be a retail establishment and all products on the premises shall be sold at retail on the premises.

Antique store  
 Apparel store  
 Art needlework or hand-weaving establishment  
 Art gallery or store  
 Auto parking lot (within or without building) subject to the provisions of Section 2103  
 Bakery  
 Bank, safe depository or trust company  
 Barber or beauty shop  
 Bicycle shop (no sales or servicing of motor scooter or motorcycles)  
 Book, newspaper, magazine, stationary, art or drawing supply store  
 Cafe, lunch room (provided no dancing is allowed and no alcoholic beverages sold except beer and wine)  
 Catering service  
 Church  
 Cigar store  
 Cleaning, dyeing, laundry, collection agency  
 Clinic  
 Club or lodge (non-profit)  
 Community service agency  
 Confectionery store  
 Custom dress making, millinery, hemstitching or pleating  
 Custom weaving or mending  
 Day nursery or child-care center  
 Dealer in coins, stamps, or similar collector's items  
 Delicatessen store  
 Dental or medical laboratory  
 Department store, variety store  
 Drug store  
 Dry goods or notions store  
 Electric Appliance store  
 Florist shop  
 Frozen food locker  
 Furniture or house furnishing store  
 Garage for public storage only  
 Gasoline service station (incidental repairing only) subject to the provisions of  
 Section 2107  
 Gift, curio, novelty, toy or hobby shop  
 Governmental structure  
 Grocery, fruit or vegetable store  
 Hardware store  
 Hotel  
 Ice cream store  
 Ice station for packaged sales only  
 Interior decorator

Jewelry store or jewelry and watch repair  
 Laundry and dry cleaning units provided the same occupy no more than 3,000 square feet of gross floor area  
 Leather goods store

Library, rental or public  
 Liquor store for packaged sales only  
 Meat, fish or dressed poultry market, provided no live poultry are kept on premises  
 Messenger service  
 Multigraphing, mimeographing, duplicating, addressographing  
 Museum  
 Music, phonograph or radio store  
 Nursery, flower, plant or tree (within a building or enclosure)  
 Office: business, professional or semi-professional)  
 Photograph studio or photographic supply store  
 Postal stations  
 Pressing establishment  
 Refreshment stand  
 Religious rescue mission (Amended 3-30-87)  
 School, barber or beauty culture  
 School, business  
 School, dramatic  
 School, handicraft, painting or sculpture  
 Shoe store or shoe repair shop  
 Sporting goods, hunting and fishing equipment store  
 Station, bus or stage  
 Tailor shop  
 Taxi cab stand  
 Taxidermist  
 Theater, except drive-in or outdoor theater  
 Water, telephone or telegraph distribution installation or electrical receiving or distribution station (within or without a building) subject to the provisions of Section 2303  
 Other similar enterprise or business of the same class, which in the opinion of the Board of Supervisors, as evidenced by resolution or record, is not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses above enumerated.

- c. Accessory building or use (not involving open storage), when located on the same building site.
- d. **(DELETED 5-18-81)**
- e. Administrative, engineer, scientific research, design or experimentation facility, and such processing and fabrication as may be necessary thereto, provided that all such operations be completely housed within buildings located on a site of not less than 10,000 square feet; that all such buildings shall be set back not less than 25 feet from any property line abutting a residential zone; that an off-street parking area be provided for all such vehicles incidental to said operation; and that one additional such parking space be provided for each 3 persons regularly employed on said premises; that a masonry wall or screened planting shall be erected and maintained on any property line directly abutting any residential zones; that there is no manufacturing or warehousing of goods for sale at wholesale or retail; and that any activity conducted on said premises shall be free of dust, noxious smoke, fumes, odors, or unusual vibrations or noise.
- f. Restaurant or tea room, including a cocktail lounge or bar in connection therewith, upon condition that no outside door opens into the cocktail lounge or bar, and, provided further, that the applicant for a permit shall provide the Zoning Inspector with written consent of 75% of the owners, by number and area, of property within 300 feet of the site for which the permit is sought.
- g. One-family dwelling unit, conventional construction, or mobile home or

manufactured home in conjunction with an established, permitted use. (Amended 3-25-91)

- Sec. 1502 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 1503 MINIMUM LOT AREA:** None for uses listed in Section 1501-b and 1501-f.
- Sec. 1504 MINIMUM LOT WIDTH:** None for uses listed in Section 1501-b and 1501-f.
- Sec. 1505 MINIMUM AREA FOR DETACHED DWELLING UNIT:** 3,500 square feet for residential uses.
- Sec. 1506 MINIMUM FRONT YARD:** 20 feet, which may be used to meet off-street parking requirements, or as part of off-street parking lot.
- Sec. 1507 MINIMUM SIDE YARDS:** None for uses listed in Section 1501-b and 1501-f; 7 feet each for residential uses.
- Sec. 1508 MINIMUM REAR YARD:** 25 feet, except as provided in Section 2316 for corner lot, which may be used to meet off-street parking requirements, or as a part of off-street parking lot.
- Sec. 1509 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** None for uses listed in Section 1501-b thru 1501-f; 14 feet between residence and business.
- Sec. 1510 DETACHED ACCESSORY BUILDINGS:**
- a. Permitted coverage: 40% of the minimum rear yard area and any additional space within the buildable area.
  - b. Maximum height: 20 feet within the required rear yard; 2 stories or 30 feet within the buildable area.
  - c. Minimum distance to main building: 7 feet.
  - d. Minimum distance to front lot line: 20 feet.
  - e. Minimum distance to side lot lines: None.
  - f. Minimum distance to rear lot line: 4 feet.

## ARTICLE 16

### CB-2 GENERAL BUSINESS ZONE

#### Sec. 1601 USES PERMITTED:

- a. Any use permitted in the Section 1401-b thru Section 1401-j (TR Transitional zone) and in Section 1501 (CB-1 Local Business Zone).
- b. Advertising sign, structure or billboard, subject to Article 22:  
Amusement or recreational enterprise (within a completely enclosed structure) including billiard or pool hall, bowling alley, dance hall, gymnasium, penny arcade, shooting gallery, skating rink, sports arena  
Amusement or recreational enterprise (outdoor) including archery range, miniature golf or practice driving or putting range, games of skill or science, pony riding ring without stables, swimming pool or commercial beach or bathhouse, tennis court  
Auction, public (no animals)  
Auditorium or assembly hall  
Auto rental garage  
Auto repair, mechanical or steam washracks, battery service (no body or fender work, painting or upholstery, except as incidental)  
Bar, cocktail lounge, night club, tavern  
Baths (Turkish, Swedish, steam, etc.)  
Blueprinting, photostating  
Boats, storage or rental  
Burglar alarm service  
Carpenter shop  
Cigar manufacturing (custom hand-rolled)  
Cleaning establishment, if only 2 clothes cleaning units of not more than 40 pounds rated capacity, and using cleaning fluid which is non-flammable, and non-explosive at temperatures below 138.5 degrees Fahrenheit  
Club: Athletic, private, social, sport or recreational (operated for profit) except sports stadium or field  
Engraving, photo-engraving, lithographing  
Fortune telling  
Garage, public (for commercial use)  
Juke box or coin machine business (limited to assembly, repair and servicing)  
Laundry, steam or wet-wash  
Lumber yard, retail (provided no machinery is used other than a rip saw and cut-off saw)  
Locksmith, tool or cutlery sharpening, lawnmower repairing, fix-it or handyman shop  
Massage establishment, reducing salon or gymnasium  
Mattress shop for repairing only (no renovating)  
Merchandise broker's display, wholesale  
Motorcycle or motor scooter repair or storage  
Mortuary or embalming establishment or school  
Newspaper office  
Oxygen equipment, rental or distribution  
Pawn shop  
Piano repairing  
Plumbing, retail custom  
Printing or publishing  
Record recording studio or sound score production (no manufacturing or treatment

- of records)
  - Refrigeration installation or service
  - School or college (operated as a commercial enterprise for dancing or musical instruction; industrial or trade school teaching operations or occupation permitted in this zone)
  - Sheet metal or tinsmith shop
  - Sign painting shop
  - Storage building
  - Trade show, industrial show or exhibition
  - Transfer or express service
  - Upholstery shop
  - Wallpaper sales, paper hanging
- c. Sale, rental or display of:
  - Airplanes or parts
  - Automobiles, recreational vehicles, travel trailers, motorhomes, and trailers
  - Barber's supplies or beauty shop equipment
  - Butcher's supplies
  - Clothing or accessories (wholesale)
  - Contractor's equipment or supplies
  - Drugs or medical, dental, or veterinary supplies (wholesale)
  - Farm equipment or machinery
  - Feed (wholesale)
  - Garage equipment
  - Hardware (retail or wholesale)
  - Hotel equipment or supplies
  - Household appliances, sewing machines, etc. (wholesale)
  - Machinery, commercial and industrial
  - Monuments or tombstones (no wholesale)
  - Office equipment (safes, business machines, etc.) (wholesale)
  - Orthopedic appliances (trusses, wheelchairs, etc.)
  - Painting equipment or supplies (paint, varnish, etc.)
  - Pet (no boarding or hospital)
  - Plastic or plastic products (wholesale)
  - Plumbing, heating and ventilating fixtures or supplies
  - Restaurant or soda fountain equipment or supplies
  - Second-hand goods: Personal, furniture, books, magazines, automobiles, but not second-hand auto parts
  - Tents or awnings
  - Trunks or luggage (wholesale)
  - Upholsterer's supplies
  - Venetian blinds
  - Window shades
- d. Light manufacturing or assembling incidental to retail sales from the premises, provided that not more than 25% of the floor is occupied by businesses engaged in manufacturing, processing, assembling, treatment, installation and repair of products.
- e. Wholesaling of products permitted in Section 1601-c unless specifically prohibited, with storage space not exceeding 1,500 square feet of floor area.
- f. Cemetery or crematory, provided that cemeteries for human remains shall be located on a site of not less than 5 acres and for animal pets not less than one acre, and that no crematory be erected closer than 500 feet from any boundary of said site adjoining property in a rural or residential zone.
- g. Drive-in theater, provided that the face of any projection screen be not visible from any county road or any street or route shown on the adopted Map of Major Thoroughfares and Proposed Routes (Map C, Section 502), which is within 500 feet of said screen; provided further that the site for said theater shall consist of not less than 10 acres of land and be a single tract or parcel not intersected or divided by any street, alley or by property belonging to any other owners; that any lights used to illuminate the theater site shall be so arranged as to reflect the light away



from adjoining property and streets; that the plans for said theater shall have been approved by the County Engineer, indicating no undue traffic congestion, due to the location and arrangement of the theater, including the car rows and aisles and minimizing the danger of fire and panic; that acceleration and deceleration lanes shall be provided along the public thoroughfare adjacent to the entrance and exit of the theater, that parking space or storage lanes for patrons awaiting admission shall be provided on the site in an amount equal to not less than 30% of the vehicular capacity of the theater; that vehicular circulation shall be so designed and constructed as to permit only one-way traffic within the boundaries of the tract on which the theater is located; that emergency exits shall be provided; that sanitary facilities and the method of food handling shall be approved by the County Health Department; that definite plans for shrubbery and landscaping shall be presented to the Zoning Inspector and made a part of the permit; that the nearest point of the theater property, including driveways and parking areas shall be a least 750 feet from the boundary of a district zoned for residential use; and, provided further, that all other conditions of the zone are fully observed.

h. **(DELETED 3-30-87)**

- i. Racetrack or sports stadium, subject to the conditions set forth in Subsection 601.0 of this Ordinance, except the requirements for the filing of the consent of owners of adjacent property.
- j. Radio or television tower or booster station, provided such tower is no closer to any boundary of said site than the height thereof.
- k. Veterinary hospital or kennels, provided no such building or structure be within 100 feet of any boundary of said site abutting property in a rural or residential zone.
- l. One family dwelling unit, conventional construction, mobile home, or manufactured home in conjunction with an established, permitted use.

**Sec. 1602 BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.

**Sec. 1603 MINIMUM LOT AREA:** None except for uses listed in Section 1601-f and 1601-g.

**Sec. 1604 MINIMUM LOT WIDTH:** None.

**Sec. 1605 MINIMUM AREA FOR DETACHED DWELLING UNIT:** 3,500 square feet for residential uses.

**Sec. 1606 MINIMUM FRONT YARD:** 15 feet.

**Sec. 1607 MINIMUM SIDE YARDS:** None for uses listed in Section 1601-a thru 1601-j; 7 feet each for residential uses.

**Sec. 1608 MINIMUM REAR YARD:** 10 feet for uses permitted in Section 1601-a thru 1601-j; 25 feet for residential use.

**Sec. 1609 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** None for uses listed in Section 1601-a thru 1601-k; 14 feet between residence and business.

**Sec. 1610 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 40% of the minimum rear yard and any additional space within the buildable area.
- b. Maximum height: 20 feet within the required rear yard; 35 feet within the buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet.
- e. Minimum distance to side lot lines: None.
- f. Minimum distance to rear lot line: 4 feet.

## ARTICLE 16.5

### CI-B INDUSTRIAL BUFFER ZONE

**Sec. 1650 USES PERMITTED:**

- a. Office Buildings
- b. Scientific or research laboratories
- c. Wholesale, and ancillary retailing activities and warehousing
- d. Assembly of products from previously prepared materials
- e. Commercial trade schools and business colleges
- f. Light manufacturing in enclosed buildings only

**Sec. 1651 BUILDING AND SITE RESTRICTIONS:**

- a. All uses permitted in Section 1650 shall be conducted wholly within an enclosed building.
- b. Required yards fronting on a public street shall be entirely landscaped except for necessary driveways and walkways.
- c. All loading and service bays shall not front on a public street.
- d. Parking areas and maneuvering areas shall not be located in any required yard fronting on a public street.
- e. Displays are prohibited in any required yards fronting on a public street.
- f. Outdoor storage is prohibited in any required yards fronting on a public street.
- g. A minimum of 80% of all exterior building wall surfaces which front on public streets, excluding windows and doors, shall be of masonry or reinforced concrete construction or shall be surfaced with wood, stucco, or similar materials.
- h. One-family dwelling unit, conventional construction or manufactured home or mobile home as watchman or caretaker's quarters in conjunction with an existing, permitted use.

**Sec. 1652 BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.

**Sec. 1653 MINIMUM LOT AREA:** 10,000 square feet.

**Sec. 1654 MINIMUM LOT WIDTH:** None.

**Sec. 1655 MINIMUM AREA PER DWELLING UNIT:** None.

**Sec. 1656 MINIMUM FRONT YARD:** 20 feet, except as provided in Section 1709, whichever is greater.

**Sec. 1657 MINIMUM SIDE YARDS:** None for interior side yards, except as provided in Section 1709, whichever is greater.

**Sec. 1658 MINIMUM REAR YARD:** 10 feet, except as provided in Section 1709.

**Sec. 1659 INDUSTRIAL BUFFER REQUIRED:** Same as provided in Section 1709.

**Sec. 1660 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 40% of the minimum rear yard and any additional space within the buildable area.
- b. Maximum height: 20 feet within the required rear yard; 35 feet within the buildable area.

- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 20 feet, except as provided in Section 1709, whichever is greater and in no case to be less than the distance between the front lot line and that of the main building.
- e. Minimum distance to side lot lines: None for the interior side yards, except as provided in Section 1709; 15 feet for street side yards, except as provided in Section 1709, whichever is greater.
- f. Minimum distance to rear lot line: 4 feet, except as provided in Section 1709.

## ARTICLE 17

### CI-1 LIGHT INDUSTRY AND WAREHOUSE ZONE

#### Sec. 1701

#### USES PERMITTED:

- a. Any use permitted in section 1501-b (CB-1 Local Business Zone) and in Sections 1601-b and 1601-c (CB-2 General Business Zone).
- b. One-family dwelling unit, conventional construction, or manufactured home or mobile home as watchman or caretaker's quarters in conjunction with an established, permitted use.
- c. Any of the following if conducted wholly within a completely enclosed building:
  - 1. Manufacture, compounding, processing, packaging or treatment of: Bakery goods, candy, cosmetics, dairy products, drugs and pharmaceutical products, soap (cold process only), and food products, except fish or meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils.
  - 2. Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: Bone, broom corn, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair or bristles, horn, leather, paper, plastics or plastic products, precious or semi-precious metals or stones, shell textiles, tobacco, wax (paraffin, tallow, etc.), wood (excluding sawmill or planing mill), yarns, paint (not employing a boiling process).
  - 3. Manufacture of: Glass, pottery or other similar ceramic products (using only previously prepared sand or pulverized clay and kilns fired only by electricity or gas), musical instruments, toys, novelties, rubber or metal stamps.
  - 4. Manufacture and maintenance of: Electric and neon signs, billboards, commercial advertising structures and displays, light sheet metal products, including heating or cooling and ventilating ducts and equipment, cornices, eaves and the like.
  - 5. Automobile or trailer assembling, painting, upholstering, rebuilding, reconditioning, sale of used parts, truck repair or overhauling, tire rebuilding or recapping, battery manufacture and the like.
  - 6. Blacksmith and welding shop or machine shop (excluding punch presses over 20 tons rated capacity, and drop hammer), foundry casting, electroplating and electro-winding lightweight non-ferrous metals not causing noxious fumes or odors.
  - 7. Laundry, cleaning or dyeing works, carpet and rug cleaning.
  - 8. Distribution plant, ice and cold storage plant, beverage bottling plant.
  - 9. Wholesale business, storage building or warehouse
  - 10. Assembly of electrical appliances: Radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers, crystal holders and the like.
  - 11. Laboratory: experimental, photo or motion picture film or testing.
  - 12. Veterinary or cat or dog hospital or kennels.
  - 13. Poultry or rabbit killing incidental to a retail business on the same premises.
- d. Any of the following if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall, compact evergreen hedge or uniformly painted board fence, not less than 6 feet in height.

1. Building material sales yard, contractors equipment sales yard (only) or rental of equipment commonly used by contractors.
2. Retail lumber yard, including only incidental mill work, feed yard.
3. Draying, freighting or truck yard or terminal.
4. Motion picture studio.
5. Automobile or automotive body and fender shop.
6. Public utility service yard.
- e. Accessory building or use when located on the same building site.
- f. Airport, airstrip or landing field, subject to the conditions set forth in Subsection 601-j of this Ordinance.
- g. 1. Gasoline or flammables bulk station, provided said products, gasoline, or petroleum shall not be stored in tanks of more than 10,000 gallons capacity each, located not less than 25 feet from building or lot line and no closer than 100 feet to a residential zone.
2. Liquefied Petroleum Gases (LPG) bulk station shall be designed, constructed and maintained in compliance with provisions of National Fire Protection Association N.F.P.A. Standards No. 58.

**Sec. 1702 BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.

**Sec. 1703 MINIMUM LOT AREA:** None.

**Sec. 1704 MINIMUM LOT WIDTH:** None.

**Sec. 1705 MINIMUM LOT AREA PER DWELLING UNIT:** None.

**Sec. 1706 MINIMUM FRONT YARD:** 15 feet, except as provided in Section 1709.

**Sec. 1707 MINIMUM SIDE YARDS:** None, except as provided in Section 1709.

**Sec. 1708 MINIMUM REAR YARD:** 10 feet, except as provided in Section 1709.

**Sec. 1709 INDUSTRIAL BUFFER REQUIRED:** Where industry adjoins, faces or confronts residential property or a major or secondary thoroughfare, such industrial use shall provide a yard of not less than 10% of the lot depth or width on the side or sides abutting, facing or confronting said uses, but such yard need not exceed 50 feet unless a greater depth or width is required by the general setback provisions of this Ordinance, or general or special setback provisions of any existing setback ordinance. Such yard shall be improved with one or more of the following:

- a. Landscaping
- b. Parking lot, wherein a minimum width of 10 feet along the lot line(s) closest to the residential property or major or secondary thoroughfare, shall be landscaped; and a decorative screening device of opaque fencing, walls, landscaped earth berms or any combination thereof, shall be installed between the landscaped area and the parking lot, to a minimum height of 3 feet.
- c. Recreational space for employees, wherein a minimum width of 10 feet along the lot line(s) closest to the residential property or major or secondary thoroughfare, shall be landscaped.

**Sec. 1710 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 40% of the required rear yard and any additional space within the buildable area.
- b. Maximum building height: 20 feet within the required rear yard; 35 feet within the buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet, except as provided in Section 1709.
- e. Minimum distance to side lot lines: None, except as provided in Section 1709.
- f. Minimum distance to rear lot line: 4 feet, except as provided in Section 1709.

## ARTICLE 18

### CI-2 INDUSTRIAL ZONE

#### Sec. 1801 USES PERMITTED:

- a. Any use permitted in Section 1501-b (CB-1 Local Business Zone), Sections 1601-b and 1601 c (CB-2 General Business Zone) and Section 1701-b through 1701-e (CI-1 Light Industry and Warehouse Zone).
- b. Airport or landing field, commercial, subject to the following conditions set forth in Sub-section 601-j of this Ordinance.
- c. Accessory building or use when located on the same building site.
- d. **AN INDUSTRIAL USE PERMIT SHALL BE OBTAINED FROM THE BOARD OF SUPERVISORS FOR THE USES SPECIFIED BELOW.**

The application for an Industrial Use Permit shall be made to the Commission and shall include a plan for the development of the land to be so used, and a uniform, non-refundable fee, as set forth in Article 27. Copies of the application shall be provided to the County engineer, the County Health Department and the Pinal-Gila County Air Quality Control District. The Commission shall hold at least one public hearing on the application after giving at least 15 days notice. The notice shall be given by publication once in a newspaper of general circulation in Pinal County, by posting the property to be used, and by notifying all property owners within 300 feet of the proposed use. The Commission shall consider whether the use will create any foreseeable flood, traffic or health hazards or nuisances. The Commission may hold additional public hearings and give additional public notice as they deem reasonable under the circumstances. By agreement between the Commission and the applicant, the above procedures may take place concurrently with an application for change of the zone of land to CI-2 Industrial Zone. The Commission shall recommend the Supervisors either for or against the granting of a use permit. Upon receipt of the Commission's recommendation the Supervisors shall hold a public hearing on the use permit after giving at least 15 days notice. Notice shall be given by publication once in a newspaper of general circulation in Pinal County, and by posting the property to be used. Upon completion of the public hearing, the Supervisors may act upon the application, however if 20% of the owners of property by area and number within 300 feet of the proposed use file a protest to such use, the use permit shall not be granted except by unanimous vote of all members of the Board of Supervisors. By agreement between the applicant and the Board of Supervisors, the above procedures may take place concurrently with an application for a change of zone of the land to CI-2 Industrial Zone.

#### THE USES COVERED BY THIS SUB-SECTION INCLUDE BUT ARE NOT LIMITED TO:

Abattoir (slaughter house)  
 Auto wrecking, junk yard, or storage yard, where conducted wholly within an enclosed building or behind imperforated walls or close boarded fence not less than 6 feet in height  
 Blast furnace  
 Boiler shop or works  
 Coke oven

Commercial cattle feeding yard or sales or auction yard  
Dirt, soil, clay, sand, rock, stone or gravel pit or yard  
Fat rendering  
Hog feeding yard, commercial (where more than 3 hogs weighing more than 100 pounds each are fed)  
Incineration, reduction or dumping of offal, garbage or refuse on a commercial scale, not operated by the Board of Supervisors, a municipality or sanitary district.  
Manufacture of: Acetylene gas, acid, ammonia, asphalt or products, asbestos, brick, tile of terra cotta, babbitt metal, bleaching powder, carbon, lamp black or graphite, cement, celluloid, chlorine gas, coal tar or products, creosote or products, explosives, fireworks, fertilizer (including open storage on a commercial scale), illuminating gas, gelatine, glucose, glue or size, gun cotton or products, gypsum, insulating material (such as rock wool and similar products), lime or products, matches, phenol, pickles, plaster of Paris, poisons, potash, pulp, paper and strawboard, rubber, sulphur and products, sauerkraut, soap except by cold process, tar or asphalt roofing, turpentine, vinegar.  
Meat packing plant  
Oil reclaiming plant  
Ore reducing plant, on site of less than 72,000 square feet  
Petroleum products stored above ground, except in quantities of less than 1,000 barrels  
Petroleum refinery  
Racetrack or sports stadium, except for contests between human beings only  
Rifle range, including pistol range, if not within an enclosed building  
Rock crusher, aggregate pit, aggregate plant, quarry, concrete or cement products  
Rolling mill  
Rubber reclaiming plant  
Salt works  
Sandblasting  
Sewer farm or sewage disposal, not operated under the control of the Board of Supervisors, a Municipality, or a sanitary district  
Smelting, on site of less than 72,000 square feet  
Stockyards, commercial  
Storage or baling of rags or paper, except where conducted wholly within an enclosed building or behind imperforated walls or close board fence not less than 6 feet in height  
Tannery  
Wood or bone distillation  
Wool pulling or scouring plant

**Sec. 1802 BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.

**Sec. 1803 MINIMUM LOT AREA:** None.

**Sec. 1804 MINIMUM LOT WIDTH:** None.

**Sec. 1805 MINIMUM LOT AREA PER DWELLING UNIT:** None.

**Sec. 1806 MINIMUM FRONT YARD:** 15 feet, except as provided in Section 1709.

**Sec. 1807 MINIMUM SIDE YARDS:** None, except as provided in Section 1709.

**Sec. 1808 MINIMUM REAR YARD:** 10 feet, except as provided in Section 1709.

**Sec. 1809 INDUSTRIAL BUFFER REQUIRED:** Same as in Section 1709.

**Sec. 1810 DETACHED ACCESSORY BUILDINGS:**

a. Permitted coverage: 40% of the required rear yard and any additional space within

- the buildable area.
- b. Maximum building height: 20 feet within the required rear yard; 35 feet within the buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet, except as provided in Section 1709.
- e. Minimum distance to side lot lines: None, except as provided in Section 1709.
- f. Minimum distance to rear lot line: 4 feet, except as provided in Section 1709.

## ARTICLE 19

### GUEST RANCH REGULATIONS:

**In addition to other provisions of this Ordinance, the following shall apply to guest ranches in any zone where permitted.**

**Sec. 1901      ACCESSORY USES PERMITTED:**

- a. Accessory commercial uses, if located on the premises of the guest ranch not closer than 100 feet to any public street, having no outside entrance facing the street, and intended, provided, and operated primarily for the convenience of guests, as follows:
  - Restaurant
  - Beverage service
  - Incidental retail sales and services
  - Professional office
  - Personal services
  - Horses for the use of occupants and guests, but not for public hire
- b. A guest ranch shall not stable or keep more than one horse for each 10,000 square feet of land area, and no stable or corral shall be closer than 50 feet to any lot line and not closer than 100 feet to a dwelling on an adjoining property or to a school, park, public street or road (excepting an alley).

**Sec. 1902      MINIMUM LOT AREA: 144,000 square feet.**

## ARTICLE 20

### MH MANUFACTURED/MOBILE HOME ZONE

- Sec. 2001 USES PERMITTED:**
- a. Public Park.
  - b. Manufactured/Mobile home.
  - c. Church, providing the minimum off-street parking requirements, in Article 21, Section 2102-e, are met.
  - d. Accessory building or use.
  - e. Home occupation.
  - f. Manufactured/Mobile home subdivision, subject to the following:
    - 1. The number of manufactured/mobile homes shall be limited to one (1) on each lot in each subdivision.
    - 2. The height, yard intensity of use, and parking regulations shall apply to manufactured/mobile homes located on lots in such subdivision.
  - g. Recreation areas, facilities, laundry, rest rooms, offices, service buildings and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject subdivision.
- Sec. 2002 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 2003 MINIMUM LOT AREA:** 8,000 square feet.
- Sec. 2004 MINIMUM LOT WIDTH:** 60 feet.
- Sec. 2005 MINIMUM LOT AREA PER MANUFACTURED/MOBILE HOME:** 8,000 square feet.
- Sec. 2006 MINIMUM FRONT YARD:** 15 feet.
- Sec. 2007 MINIMUM SIDE YARDS:** 10 feet each.
- Sec. 2008 MINIMUM REAR YARD:** 10 feet.
- Sec. 2009 MINIMUM DISTANCE BETWEEN MANUFACTURED/MOBILE HOMES:** 20 feet.  
(Amended 3-25-91)
- Sec. 2010 MINIMUM DISTANCE OR SETBACKS REQUIRED HEREIN** shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a manufactured/mobile home, or from the patio cover, carport, cabana, ramada or similar appurtenances.
- Sec. 2011 DETACHED ACCESSORY BUILDINGS:**
- a. Permitted coverage: 25% of the rear yard plus 50% of any additional space in the rear of the principal building.



- b. Maximum height: 20 feet.
- c. Minimum distance to manufactured/mobile home: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.

## ARTICLE 20-A

### RV-RECREATIONAL VEHICLE HOMESITE ZONE

**Sec. 2025A USES PERMITTED:**

- a. Public Park.
- b. Church, providing the minimum off-street parking requirements in Article 21, Section 2102-e, are met.
- c. Accessory building or use.
- d. Home occupation.
- e. Recreational Vehicle/Travel Trailer - subdivision, subject to the following:
  - 1. The number of recreational vehicles /travel trailers shall be limited to one (1) on each lot in such subdivision.
  - 2. The height, yard, intensity of use, and parking regulations shall apply to travel trailer - recreational vehicles located on lots in such subdivision.
- f. Recreation areas, facilities, laundry, rest rooms, offices, service buildings and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject subdivision.

**Sec. 2026A BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 2027A MINIMUM LOT AREA:** 6,000 square feet.

**Sec. 2028A MINIMUM LOT WIDTH:** 60 feet.

**Sec. 2029A MINIMUM LOT AREA PER TRAVEL TRAILER - RECREATIONAL VEHICLE:** 6,000 square feet.

**Sec. 2030A MINIMUM FRONT YARD:** 15 feet.

**Sec. 2031A MINIMUM SIDE YARDS:** 10 feet each.

**Sec. 2032A MINIMUM REAR YARD:** 10 feet.

**Sec. 2033A MINIMUM DISTANCE OR SETBACKS REQUIRED HEREIN** shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a travel trailer - recreational vehicle, or from the patio covers, carport, cabana, ramada or similar appurtenances.

**Sec. 2011 DETACHED ACCESSORY BUILDINGS:**

- a. Permitted coverage: 25% of the rear yard plus 50% of any additional space in the rear of the principal building.
- b. Maximum height: 20 feet.
- c. Minimum distance to travel trailer - recreational vehicle: 7 feet.

- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.

## ARTICLE 20-B

### MHP - MANUFACTURED/MOBILE HOME PARK ZONE

#### Sec. 2050B USES PERMITTED:

- a. Manufactured/Mobile Home Park (MHP), lot or parcel, shall be not less than (10) acres inclusive of rights-of-way, easements or dedications.
  - 1. The manufactured/mobile home park lot or parcel shall be not less than ten (10) acres, inclusive of rights of way, easements or dedications.
  - 2. Each manufactured/mobile home space shall have an area of not less than four thousand (4,000) square feet and a width of not less than forty-five (45) feet.
  - 3. Manufactured/mobile homes shall be located on manufactured/mobile home spaces so as to provide a minimum setback from the nearest edge of any interior drive or roadway of not less than eight (8) feet and so as to provide a minimum setback from any manufactured/mobile home space boundary not in common with the edge of any interior drive or roadway of not less than five (5) feet, except that in the case of manufactured/mobile home spaces having boundaries in common with two (2) or more interior drives or roadways then the minimum setback from the nearest edge of the interior drive or roadway shall be not less than twenty (20) feet on the manufactured/mobile home's entry side and not less than five (5) feet on the manufactured/mobile home's non-entry side.
  - 3A. Recreational Vehicles may be located on manufactured/mobile home spaces provided that:
    - (A) All requirements of this article are met.
    - (B) No more than one (1) R.V. shall be located on a manufactured/mobile home space.
    - (C) A Special Use Permit is applied for and granted in accordance with the provisions of Article 23, Sections 2302 thru 2302-3 of this Ordinance.
  - 4. The minimum distance between manufactured/mobile homes in the same manufactured/mobile home park shall be ten (10) feet.
  - 5. Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a manufactured/ mobile home or from the patio cover, carport, cabana, ramada or similar appurtenances.
  - 6. The manufactured/mobile home park shall be screened from adjoining lots or parcels, not in manufactured/ mobile home park use, by a solid fence or wall of not less than six (6) feet in height. The screening fence or wall shall be constructed within 6 months from date of approval of the manufactured/ mobile home park plans. The screening material does not include planting, vegetation, shrubbery and the like.
  - 7. Recreation areas, facilities, laundry, rest rooms, offices, service buildings

and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject park.

- b. Model Complex with sales office as detailed on the submitted Site Plan and approved by The Planning and Development Services Department.

**Sec. 2051B PLAN APPROVAL REQUIRED:** Prior to issuance of permits for construction or development of the manufactured/mobile home park, at least four (4) copies of the park plans shall be submitted to the Planning Department and shall include the following:

- a. Name of park, legal description of property to be developed, ownership, name of developer, scale, north arrow, name of civil engineer or surveyor, date of plans and key map showing the location of tract.
- b. All manufactured/mobile home spaces on the plan shall be clearly numbered for proper identification.
- c. In addition to the above requirements, no permit shall be issued until the sanitation facilities and water supply have been approved by the Arizona Department of Environmental Quality.

**Sec. 2052B STREETS:**

- a. All streets within the manufactured/mobile home park shall be private. Installation and maintenance will be responsibility of the owner.
- b. If the manufactured/mobile home park is bordered by a potential major thoroughfare, section line, mid-section line, collector street, minor street or marginal street, as described in the current Pinal County Subdivision Regulations and Requirements, that portion bordering the manufactured/ mobile home park shall be dedicated for public use and constructed in accordance with the current uniform standard details and specifications for public works construction, as approved and adopted by the Pinal County Board of Supervisors.
- c. If it is determined that the dedication and construction of the street will be required, as described in sub-section b of this section, then construction of the streets shall begin within six (6) months from the date of approval of the park plans and shall be completed within twelve (12) months after approval of the park plans.

**Sec. 2053B HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 2054B MINIMUM FRONT YARD:** 15 feet.

**Sec. 2055B MINIMUM SIDE YARDS:** 10 feet each.

**Sec. 2056B MINIMUM REAR YARD:** 10 feet.

**Sec. 2057B DETACHED ACCESSORY BUILDINGS:**

- a. Maximum Height: 30 feet.
- b. Minimum distance to front lot line: 15 feet.
- c. Minimum distance to side lot line: 4 feet.
- d. Minimum distance to rear lot line: 4 feet.

# ARTICLE 20-C

## PARK MODEL (PM) AND RECREATIONAL VEHICLE (RV) PARK ZONE

### Sec. 2075C USES PERMITTED:

- a. Park Model (PM) and Recreational Vehicle (RV) Park, subject to the following:
    1. The Park Model and Recreational Vehicle Park, lot or parcel, shall be not less than ten (10) acres inclusive of rights-of-way, easements or dedications.
    2.
      - (a) Each Recreational Vehicle space shall have an area of not less than one thousand, five hundred (1,500) square feet and a width of not less than thirty (30) feet.
      - (b) After December 30, 1992, each Park Model space shall have an area of not less than two thousand (2,000) square feet and a width of forty (40) feet in all new parks or additions to existing parks.
    3. Park Models and Recreational Vehicles shall be located on spaces so as to provide a minimum setback from the nearest edge of any interior drive or roadway of not less than five (5) feet and so as to provide a minimum setback from any PM/RV space boundary not in common with the edge of any interior drive or roadway of not less than five (5) feet, except that in the case of PM/RV spaces having boundaries in common with two (2) or more interior drives or roadways then the minimum setback from the nearest edge of the interior drive or roadway shall be not less than twenty (20) feet to the Park Model/Recreational Vehicle's entry side and not less than five (5) feet on the non-entry side.
    4. The minimum setback distance of Park Models and Recreational Vehicles from a space boundary shall be as follows:
 

Rear yard:	5 feet
Front yard:	5 feet
Side yard:	5 feet

except approved and permitted appurtenances on the entry side may be 3 feet.
- In no case shall Park Model or Recreational Vehicle units, which include tipouts, be closer than ten feet on adjacent spaces. In no case shall an approved and permitted appurtenance on the entry side of a Park Model or Recreational Vehicle unit be closer than eight feet between said appurtenance and a Park Model or Recreational Vehicle unit on any adjacent space. Said eight feet does not apply to any window awnings on the nonentry side of any Park Model or Recreational Vehicle unit.
5. Minimum setback distance required herein shall be the shortest of

- horizontal dimensions measured from the nearest portion of the sidewall of a Park Model/Recreational Vehicle or from the patio cover, carport, cabana, ramada, room addition or similar appurtenances.
6. The PM/RV park shall be screened from adjoining lots or parcels, not in PM/RV park use, by a solid fence or wall of not less than six (6) feet in height. The screening fence or wall shall be constructed within 6 months from date of approval of the PM/RV park plans. The screening material does not include planting, vegetation, shrubbery and the like.
  7. Any Park Model or Recreational Vehicle appurtenances shall require a building permit and be constructed in compliance with the adopted Pinal County Building Codes.
  8. Recreation areas, facilities, laundry, rest rooms, offices, service buildings and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject park.
- b. Model Complex with sales office as detailed on the submitted Site Plan and approved by The Planning and Development Services Department.

**Sec. 2076C PLAN APPROVAL REQUIRED:** Prior to issuance of permits for construction or development of the PM/RV park, at least four (4) copies of the park plans shall be submitted to the Planning Department and shall include the following:

- a. Name of park, legal description of property to be developed, ownership, name of developer, scale, north arrow, name of civil engineer or surveyor, date of plans and key map showing the location of tract.
- b. All PM/RV park spaces on the plan shall be clearly numbered for proper identification.
- c. In addition to the above requirements, no permit shall be issued until the sanitation facilities and water supply have been approved by the Arizona Department of Environmental Quality.

**Sec. 2077C STREETS:**

- a. All streets within the PM/RV park shall be private. Installation and maintenance will be responsibility of the park owner.
- b. If the PM/RV park is bordered by a potential major thoroughfare, section line, mid-section line, collector street, minor street or marginal street, as described in the current Pinal County Subdivision Regulations and Requirements, that portion bordering the PM/RV park shall be dedicated for public use and constructed in accordance with the current uniform standard details and specifications for public works construction, as approved and adopted by the Pinal County Board of Supervisors.
- c. If it is determined that the dedication and construction of the street will be required, as described in sub-section b of this section, then construction of the street shall begin within six (6) months from the date of approval of the park plans and shall be completed within twelve (12) months after approval of the park plans.

**Sec. 2078C HEIGHT:** Maximum height of any structure shall be 30 feet.

**Sec. 2079C MINIMUM FRONT YARD:** 15 feet. (Main Building and Park perimeter setback)

**Sec. 2080C MINIMUM SIDE YARDS:** 10 feet. (Main Building and Park perimeter setback)

**Sec. 2081C MINIMUM REAR YARD:** 10 feet. (Main Building and Park perimeter setback)

**Sec. 2082C DETACHED ACCESSORY BUILDINGS:**

- a. Maximum Height: 30 feet.
- b. Minimum distance to front lot line: 15 feet.
- c. Minimum distance to side lot line: 4 feet.
- d. Minimum distance to rear lot line: 4 feet.

## ARTICLE 21

### OFF-STREET PARKING AND LOADING; PUBLIC GARAGES AND FILLING STATIONS

**Sec. 2101      PARKING SPACE DEFINED:** For the purpose of this Article, 200 square feet of floor or lot area, together with adequate access to a public street, shall be deemed to be one parking space.

**Sec. 2102      PARKING SPACE REQUIREMENTS:** Off-street automobile parking space, shall be provided according to the following schedule and subject to the following conditions in any zone in which any of the following uses shall hereafter be established:

- a. One parking space for each family dwelling unit; such space shall be provided on the building site on which such dwelling is located.
- b. One parking space for each 3 roomers which any boarding or rooming house is intended or designed to accommodate; such space shall be provided on the building site on which said building is located, or on a lot immediately adjacent thereto.
- c. One parking space for each guest room or suite of guest rooms in a tourist court and for each travel trailer space in a travel trailer court; such space shall be provided on the building site of the court.
- d. One off-street parking space for each 3 guest or patient beds in a hotel or hospital; such space shall be not farther than 600 feet distant in a direct line from the nearest part of said structure.
- e. One parking space for each 8 seats or pew in any church; such space shall be located as set forth in d, above.
- f. One parking space for each 5 seats or similar accommodations in any theater, auditorium or stadium; such space shall be located as set forth in d, above.
- g. One parking space, located as set forth in d, above, for each 200 square feet of floor area used for the following:
  - 1. Shopping center, retail store, service business
  - 2. Business or professional office
  - 3. Medical or dental clinic
  - 4. Any retail commercial use not otherwise listed in this section
- h. One off-street parking space for each 75 square feet of floor area used for a dance hall, night club, assembly hall without fixed seats, or establishment for the sale and consumption on the premises of alcoholic beverages, food or refreshments; such space shall be located as set forth in d, above.
- i. Three parking spaces for each room used as a chapel room, or slumber room, or parlor in a mortuary or funeral home, or one parking space for each 50 square feet

- of floor area of assembly room or rooms used for services, whichever is greater.
- j. One parking space for each 1,000 square feet of floor area used for a furniture store, furniture repair shop, machinery sales, motor vehicle sales, wholesale store, or welfare institution not otherwise specified herein, such space shall be located as set forth in d, above.
- k. Two parking spaces for each alley in a bowling alley; such space shall be located as set forth in d, above.
- l. In addition to the requirements of any other section of this Ordinance, one off-street parking space for each 2 employees shall be provided for any land use other than an office building. The number of employees used in computing parking requirements shall be the greatest number of persons employed at any time of the day or night; such space shall be located as set forth in d, above.
- m. For any drive-in-theater, parking space for customers waiting to enter said theater equal to 30% of the vehicular capacity of the theater.
- n. For a gasoline service station, auto laundry or public repair garage, automobile storage or parking space sufficient in area to accommodate the automobiles of the operator and patrons of such commercial uses; such space shall be located as set forth in d, above.
- o. For any commercial amusement park, fairground or transient show, either indoor, or outdoor, parking space sufficient in area to accommodate the patrons of such use.

**Sec. 2103 DEVELOPMENT OF PARKING AREA:**

- a. In any CR-5, TR, CB-1, CB-2, CI-B, CI-1 OR CI-2 zone, where parking space is required, the surface of such space shall be paved as specified by the Pinal County Public Works Department.
- b. Where a parking area for a business or industrial use adjoins or is within a residential zone, there shall be a solid wall of masonry or other approved fireproof material, not more than 5 and not less than 4 feet in height, along the boundaries adjoining residence lots, except that adjoining the front yard of a residence lot, said wall shall be 3 feet 6 inches in height.
- c. Anywhere a wall is required, a minimum landscaped yard of 5 feet shall be provided between the wall and property line.
- d. Any lights used to illuminate said parking space shall be so arranged as to reflect the light away from adjoining lots in residential zones and be installed in accordance with the Pinal County Light Ordinance.
- e. All parking spaces shall be designed so that vehicles exiting therefrom will not be required to back out across any sidewalk or into any street.

**Sec. 2104 LOADING SPACE DEFINED:** For the purpose of this Article, one loading space shall be not less than 10 feet in width, 30 feet in length, and 14 feet in height.

**Sec. 2105 LOADING SPACE REQUIREMENTS:** On any lot abutting an alley or having access to two or more streets, at least one off-street loading space shall be provided and maintained for every building or part thereof occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, mortuary, hospital, laundry, dry cleaning establishment, or other use similarly requiring the receipt or distribution by vehicles of materials or merchandise; and one additional loading space shall be provided for each 10,000 square feet of gross floor space so used in excess of 10,000 square feet. Such space may occupy all or any part of any required yard. No such space shall be located closer than 50 feet to any other lot in any residential zone unless wholly within a completely enclosed building or enclosed on all sides by a solid fence or wall not less than 6 feet in height.

**Sec. 2106 BUILDING OVER LOADING SPACE:** Nothing in this Article shall prevent building over the top of a loading area within the buildable area prescribed in this Ordinance, provided a clear height of 14 feet is maintained.

**Sec. 2107 PUBLIC GARAGE, PARKING LOTS AND FILLING STATIONS:**

- a. No gasoline filling station, automobile repair shop, public garage or parking lot shall have an entrance or exit for vehicles on the same side of the street within 30 feet

of a residence zone, nor shall any part of a gasoline filling station, public garage or automobile repair shop be within 50 feet of the ground of any school, public playground, church, hospital, sanatorium, public library or institution for dependents or for children.

- b. No gasoline filling station or public garage shall have any oil draining pit or visible appliance for such purpose, other than filling caps, located within 12 feet of any street lot line or within 50 feet of any residential zone, unless such appliance or pit is within a building and distant at least 12 feet from any vehicular entrance or exit of such building.

## ARTICLE 22

### SIGNS, BILLBOARDS, NAME PLATES AND OTHER OUTDOOR ADVERTISING

**Sec. 2201 PURPOSE:** The uses, locations, types, heights, sizes and illumination of signs are herein regulated in order to protect the attractiveness of the County, to enhance tourism, to promote commerce, to preserve property values, to insulate residential areas from the undue impact of signs, to foster the effectiveness of business signage, to promote traffic and pedestrian safety, and to protect the general welfare.

**Sec. 2202 DEFINITIONS:** For the purpose of this Article, certain words and terms used herein are herewith defined.

- a. Advertising: To call public attention to things, usually to promote sale.
- b. Awning: A shelter or cover projecting from and supported by an exterior wall of a building.
- c. Canopy: Same as "awning".
- d. Commercial and/or Industrial Center: A group of two (2) or more businesses associated by a common agreement or common ownership with common parking facilities.
- e. Construction (beginning): The placement or attachment of sign-related materials (e.g. posts, poles, brackets, standards, bolts, screws, lumber, concrete, block, footings, paint) on the ground or on an existing building or other structure.
- f. Frontage: The length of property line of any one premise along a public right-of-way on which it borders.
- g. Grade: Average elevation of the ground within a radius of 20 feet from the center point of the sign.
- h. Interstate Freeway Interchange: Where ingress or egress is obtained to a federal interstate highway; specifically delineated as lying within three-hundred (300) feet of the right-of-way and between the two points of widening of the interstate highway right-of-way approaching the interchange.
- i. Lighting, Internal-Reverse Print: An internally lighted sign in which the visible lighted area constitutes less than fifty percent (50%) of the total sign area, with lighted or visible letters against a dark background.
- j. Mansard: A roof with two angles of slope, the lower portion of which is steeper and is architecturally comparable to a building wall. Also a facade with a slope approaching the vertical which imitates a roof.
- k. Marquee: A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building, to be considered a canopy for sign



- allowances.
- l. Parapet: The extension of a false front or wall above a roof line.
- m. Reconstruction, substantial: Improvement or repair valued in excess of fifty percent (50%) of the current value of a sign. Reconstruction does not include merely repainting or changing the copy on the sign if the use and size remain the same.
- n. Roof line: The highest point of a structure including parapets, but not to include spires, chimneys or heating or cooling mechanical devices.
- o. Sign: Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, vehicle, structure, or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution, or business.
- p. Sign, Abandoned: A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
- q. Sign, Canopy: Any sign erected directly upon or suspended from a canopy (awning).
- r. Sign, Directional: Any sign which is designed solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed, and which contains no advertising copy.
- s. Sign, Directory: Any sign listing the names, use, or location of the businesses or activities conducted within a building or group of buildings.
- t. Sign, Free-standing: A sign which is erected on its own self-supporting permanent structure, detached from any significant (i.e., weight-bearing) supporting elements of a building (Lateral stabilizing support is not considered attachment to the building).
- u. Sign, Height: The distance measured from grade at the base of a sign to the topmost portion of a sign, including decorative embellishments.
- v. Sign, Identification: Any sign identifying by name, message or symbol, a business, residence, occupant activity, institution, establishment, operation, merchandise, product, or service available at the property on which the sign is displayed.
- w. Sign, Illuminated: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- x. Sign, Non-conforming: Any sign which is not allowed under this Code, but which, when first constructed, was lawful.
- y. Sign, Number of Faces on:
  - One:** If a sign has copy on one side only or if the interior angle between the two sign faces or sides is greater than forty five (45) degrees, it shall be considered one face; the area will be considered to be the sum of the areas of both sides.
  - Two:** If the angle between the two sign faces is less than forty-five (45) degrees, the sign shall be considered double-faced, the sign area will be the area of one face only.
  - If two sign faces are attached to a structure with a thickness exceeding thirty-six (36) inches or the two faces are separated by a distance exceeding thirty-six (36) inches, then the sign area will be the area of both faces.
  - Multi-faced:** Any sign containing more than two sides. The area shall be the area of the largest side plus the area of any other side whose interior angle with any other side exceeds forty-five (45) degrees.
- z. Sign, Off-premise (Billboard, outdoor advertising): A sign advertising a business, place, activity, goods, services, or products on a different property from where said sign is located.
  - aa. Sign, On-premise: A sign advertising a business, place, activity, goods or services or products on the same property on which the sign is located.
  - bb. Sign, Political: A temporary sign used in connection with a local, state, or national election or referendum.
  - cc. Sign, Portable: Any sign not permanently affixed to the ground or a structure on the site it occupies.
  - dd. Sign, Projection: Any sign attached to a building or other structure and

- extending in whole or in part more than twelve (12) inches beyond the building, shall be considered "free-standing" sign with reference to square footage allowances. (See Figure 10)
- ee. Sign, Roof: Any sign erected upon the roof of any building which is partially or totally supported by the roof or re-roof structure of the building.
- ff. Sign, Under-canopy: A sign suspended beneath a canopy, ceiling, roof, or marquee shall be considered "free-standing" signs with reference to square footage allowances.
- gg. Sign, Wall-mounted: A sign mounted or painted flat against, projecting less than twelve (12) inches or painted on the wall of a building with the exposed face of the sign in a plane parallel to the face of said wall.

**Sec. 2203**

**GENERAL PROVISIONS:** Except as may be further restricted in specific zones, all permitted signs shall be subject to the following:

- a. A sign may be illuminated during the hours of operation of the facility being identified or advertised or until 11:00 p.m., whichever is later, but the source of illumination shall not be visible beyond the property lines. No flashing or intermittent illumination shall be used. Internally lighted signs may be "reverse print" or otherwise. No portion of any sign shall consist of mirrors or highly polished reflective surfaces.
- b. No sign (nor any portion of a sign) shall rotate, move, or simulate movement by means of fluttering, spinning, or reflection devices, nor shall it contain an electronic message device except for "time and temperature" signs, nor shall it flash, blink, be audible, or be animated by any means (including banners, pennants, or devices affected by movement of air). Signs attached to or suspended from hot air or helium balloons are prohibited. An exception to this paragraph shall be permitted for a period of seven (7) consecutive days for the "grand opening" of a permitted business upon the bona fide occurrence and at the location of one of the following:
  - 1. An "arms length" change of ownership.
  - 2. Opening of a new location.
  - 3. An expansion of floor area of at least twenty five percent (25%).
 Such exceptions shall first obtain a Temporary Sign Permit (with a minimum sign permit fee). An exception for a "grand opening" shall be permitted no more than once in any twelve month period at any one location.
- c. Lighted beacons, searchlights, or other lights or lighted devices which attract attention to a property are prohibited.
- d. No sign may encroach upon or overhang adjacent property or public right-of-way. No sign shall be attached to any utility pole, light standard, bridge, or any other public facility located within the public right-of-way. Signs may be located in or project into required yards but no sign nor any support for a sign shall be located in, or project into any private street, alley, easement, driveway, parking area or pedestrian way in such a manner as to obstruct the intended use or to constitute a safety hazard.
- e. Canopy (awning) signs shall not project above the canopy. Signs may be attached flat against canopies made of rigid materials; canopies of non-rigid materials, e.g. canvas, shall only have signs painted on them. Signs attached to a building shall not project above the eave line or parapet. Signs mounted on the lower portion of a mansard roof with a slope exceeding 74 degrees from the horizontal are permitted, provided they do not project above the top of the lower roof.
- f. In no case shall any sign exceed thirty (30) feet in height.
- g. The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border itself. The square footage of a sign composed of only letters, words, or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words, or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.
- h. No sign shall be painted on or affixed to any natural object in its natural location

- such as a boulder, tree or cliff face.
- l. Signs may be painted directly onto structural surfaces (walls or buildings) but not onto any roof.
- j. No sign shall be located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device or obstruct or interfere with a driver's view of approaching, merging or intersection traffic.
- k. No sign shall simulate the appearance of an official traffic sign, signal or device, nor the warning or signal device of any emergency vehicle.
- l. Signs painted on or attached to vehicles which are parked on the public right-of-way or on private premises for a continuous period in excess of 72 hours or repeatedly for three consecutive days for the purpose of intentionally circumventing the intention of the Ordinance shall be considered portable signs within the meaning of this ordinance.
- m. In no case shall any sign project above the roof line of the building upon which it is mounted. Roof mounted signs are permitted (if otherwise in compliance) and shall be considered to be a variety of wall mounted sign.
- n. No person shall exhibit, post or display upon any sign or wall any statement, symbol or picture of an obscene nature.
- o. New signs exceeding six (6) square foot in area or exceeding eight (8) feet in height shall follow the permitting requirements specified in Section 2214. Relocation or substantial reconstruction (i.e., costing more than 50 percent of the present value) of a sign shall be considered a new sign for building permit purposes.
- p. Signs which identify or advertise uses on other than the property on which they are located shall be permitted only in medium commercial and industrial districts. (See Off-Premise Signs, sign regulations, Section 2206)
- q. Signs which are not permitted in a residential zone shall not be placed closer than twenty (20) feet to any Residentially Zoned lot.
- r. Signs located within the triangular area on a corner lot formed by measuring thirty (30) feet along both street lines from their intersection of a public street and a private street or driveway, shall maintain a maximum three (3) foot top height or minimum eight (8) foot bottom height and contain a maximum of two (2) supports with a maximum twelve (12) inch diameter each.
- s. All signs shall be stable. Portable signs are permitted where indicated for zoning districts provided they are planted securely into the ground, weighted, or otherwise anchored to resist rolling, blowing, tipping over or otherwise moving from a safe location and further provided they are not attached to or sitting upon wheels or trailers.

**Sec. 2204**

**EXEMPT SIGNS:** The following signs shall be exempt from obtaining permits and other provisions of this ordinance provided they satisfy all requirements or specifications contained within this section.

- a. Official notices authorized by a court, public body, or public safety official.
- b. Directional, warning or information signs authorized by or consistent with Federal, State, County, or Municipal Authority.
- c. Memorial plaques and building cornerstones when cut or carved into masonry surface or when made of incombustible material and made an integral part of the building or structure.
- d. Commemorative symbols, plaques and historical tablets.
- e. Political signs on private property, provided however, that such signs shall be erected no more than 90 days prior to, and removed within 15 calendar days following the date of the election to which they refer, and that the total sign area permitted on any lot or parcel shall not exceed thirty-two (32) square feet on residentially zoned property and sixty-four (64) square feet on commercially zoned property.
- f. Flags, emblems, insignias and posters of any nation, state, international organization, political subdivision or other governmental agency; unlighted non-verbal religious symbols attached to a place of religious worship; and temporary displays (maximum of thirty days) of a patriotic, religious, charitable, or civic character shall be exempt from the provisions of this section; however, if the height

exceeds the building height of the zone in which it is located, such signs shall be required to obtain a Variance prior to their erection. The preceding shall not be construed as to permit the use of such flags, insignias, etc. for the purpose of advertising or identifying a product or business.

- g. Signs located within structures, including inside window signs intended to be seen from outside of the building.

**Sec. 2205 SPECIAL PURPOSE SIGNS:**

- a. Directional or Information Signs
  - 1. Permanent on-premise directional signs are permitted in all districts, (and are in addition to the aggregate area limits specified in each zone) subject to the following:
    - (A) This sign shall contain no advertising copy.
    - (B) This sign shall not exceed four (4) square feet in area per face.
    - (C) This sign may be double-faced.
    - (D) This sign may be placed flat against a wall of a building or such sign may be free-standing, but shall be no higher than eight (8) feet above grade.
    - (E) This sign may be used to designate entrance or exits to or from a parking area, but the number shall be limited to one (1) for each such entrance or exit.
    - (F) Off-premise permanent directional or information signs for public service or safety facilities (such as hospitals and clinics) may be permitted through the Special Use Permit process as provided in Section 2302. Such signs may be specifically approved up to twenty-four (24) square feet per sign.
    - (G) The total number of directional signs is not limited provided such signs are not located within required setback yards.
    - (H) Directional subdivision signs are permitted in any zone, and are subject to that zone's square footage limitations. Unlighted signs advertising subdivisions containing only the name of the subdivision, the name of the developer and/or agent, an identification emblem and directional message shall be permitted, provided:  
There shall be no more than one such sign for each subdivision vehicular entrance, not to exceed a total of three, and;  
Directional subdivision signs may only be displayed during the two years following the date of recordation of the final plat map.
  - 2. Permanent off-premise directional signs are permitted for certain tourist and recreation-related businesses which by their nature must be located away from arterial highways, such as destination campgrounds and resorts. Such signs shall be:
    - (A) located at the arterial highway and/or intersections of access roads heading directly to the business.
    - (B) limited to six (6) square feet of panel area, not to exceed eight (8) feet in height above grade, unlighted, and no closer than 20 feet to any property line.
    - (C) limited in content to a generic description (one or two words) of the facility (such as "camping"), an arrow or words giving directions (such as "next right"), and a symbol or logo identifying the chain or name of the business.
    - (D) mounted on the same standard where more than one such sign is erected at any one intersection and elsewhere whenever possible.
    - (E) required to obtain an off-premise sign permit (even though under the minimum size otherwise requiring a permit).
    - (F) limited to three such signs providing direction to any one parcel.
    - (G) shall be required to obtain a Special Use Permit (Section 2302) for

each sign.

- b. Temporary Real Estate, Construction and Subdivision Signs
  1. Temporary (including portable) "for sale" or rental signs are permitted in any zone. One on-site unlighted sign not exceeding six (6) square feet on each street frontage adjoining a site, plus one "Open House" sign not exceeding six (6) square feet are allowed. Open house signs shall not be located in landscaped parkways, street medians, or bike trails. When affixed to a parcel of two acres or larger which lies contiguous to a major arterial highway with a right-of-way width of at least 150 feet at the location of the sign, a sign shall be permitted not to exceed twelve (12) square feet in area. Free-standing signs shall not exceed six (6) feet in height. All sale and rental signs shall be removed within thirty (30) days from date of sale or rental, or after removal of the property from the active market.
  2. Construction Signs are permitted, subject to the square footage limitation of the respective zoning district and in no case to exceed a total of forty (40) square feet in area for the project. On the site of a project actively under construction, unlighted signs to identify each contractor, architect or engineer, et criteria, engaged in a project are permitted. Free-standing signs shall not exceed eight (8) feet in height. Such signs shall be removed within thirty (30) days after the completion of the project or any cessation of construction activity for a continuous period of six months.
  3. On-site signs for subdivisions (including condominium projects) advertising only the subdivision and the sale of lots or units from a recorded plat, shall be permitted provided there shall be no more than 100 square feet of total sign area for each subdivision and a total of five (5) signs. They shall not extend into any required yard nor shall any sign exceed twelve (12) feet in height. Such on-site signs shall be permitted until sales office is abandoned in the subdivision or for a maximum of two (2) years, whichever occurs first, and provided that such signs are maintained in good condition. Extensions beyond the two (2) year limitation may be granted in the form of a Special Use Permit (Section 2302) for one (1) year increments.
  4. For the purpose of administering this section, apartment or group housing complexes of thirty (30) units or more shall be considered within the definition and regulations of a "subdivision" in Section 2205.b.3 above. Apartment complexes may display directional signs for a period of one (1) year following construction completion, subject to the additional regulations of Section 2205.a.1.
  5. Office buildings or complexes, shopping centers and industrial parks may display leasing and rental signs for a period of one (1) year following construction completion. These signs shall be limited to one free-standing sign and two building-mounted signs not to exceed a combined total of 100 square feet in area. Free-standing signs shall not exceed eight (8) feet in height. After this one (1) year period, the regulations of Section 2205.b.1 shall apply.

**Sec. 2206**

**OFF-PREMISE SIGNS:** Off-premise signs (i.e. signs advertising a business, person, place, activity, goods, or products, on a different property from where the sign is located) may be permitted subject to the following conditions and restrictions:

- a. Off-premise signs other than directional signs described in Sec. 2205.b.1 shall be permitted only in the CB-2, CI-1, CI-2 Zoning Districts.
- b. No new, relocated, or reconstructed off-premise sign shall be permitted within 200 feet of a residential zone.
- c. No new, relocated, or reconstructed off-premise sign shall be permitted within 1,500 feet of an existing off-premise sign.
- d. Off-premise signs shall be constructed on no more than three supports.
- e. Off-premise signs shall be located at least one thousand (1,000) feet from the property to which it refers or advertises.
- f. In addition to the general provisions of Sec. 2203, all off-premise signs shall conform to the following development standards:
  1. Maximum height - 20 feet

2. Maximum area - 160 feet
3. Shall not be located closer to a street than any existing building within 100 feet thereof, but in no case closer to the street right-of-way than twenty (20) feet.
4. Lighting shall be either internal or by indirect source (shielded and either directed downward with reference to the horizontal plane of the ground surface in accordance with the Pinal County Light Ordinance).
- g. A city, town, or unincorporated community with a year round population of 100 or more, the center of which is within ten (10) miles of an Interstate Highway, upon petition by at least 51 adult residents, and approval by the Arizona Department of Transportation, and upon compliance with the Special Use Permit application process requirements (2302) may apply for a Special Use Permit for a "Community Off-Premise Sign".
  1. Such Community Off-Premise Sign shall be located in a CB-1, CB-2, CI-B, CI-1, CI-2 zone.
  2. Such Community Off-Premise Sign shall have a maximum area of 200 square feet.
  3. Such Community Off-Premise Sign shall contain only approved copy limited to the following:
    - (A) Name of the community.
    - (B) A phrase expressing a motto or slogan referring to the community as a whole.
    - (C) The direction, route(s), and distance to the community.
    - (D) A list of types of services and amenities available in or reasonably near the community.
    - (E) The dates of the next community event or festival.
  4. Each community shall be limited to one (1) such off-premise sign for each off-ramp at the Interstate Interchange closest to the center of the community by the most useable route between the interchange and the community.
  5. All Community Off-Premise Signs shall otherwise comply with all requirements and restrictions for "off-premise" signs.
- h. Off-Premise signs consisting of banners or other temporary means of advertising annual special community events, festivals, and similar public gatherings of a not-for-profit nature shall be permitted in CB-1, CB-2, CI-1, CI-2 zoning districts. Such signs shall obtain Temporary Sign Permits (on a no fee basis) prior to their erection. Permits for such signs shall be for a specific period, after which such signs shall be removed. Such signs shall otherwise comply with the general provisions, and the provisions of the zone in which they are to be placed, except that with proper authorization, such signs may be placed within or across the right-of-way of a public street or road. The number of such signs shall be limited to one (1) per "entrance" to the community by a county or state arterial highway.
- i. If any off-premise sign contains copy advertising a use, business or product no longer in existence or available; or is left blank or damaged so as to be largely illegible; or is maintained without copy or without "space available" advertising for a period exceeding 180 days (six months), such sign shall be deemed abandoned and such sign shall be removed within 30 days upon written notification.

**Sec. 2207**

**SIGN REGULATIONS SPECIFIC TO THE RURAL OR RESIDENTIAL DISTRICTS:** No sign shall be placed or maintained in any SR, SH, GR, CAR, CR-1A, CR-1, CR-2, CR-3, CR-4, CR-5 or TR (when used as residential) Districts except as follows:

- a. Permanent signs:
  1. Name Plate Signs: A name plate sign identifying the name of the occupant of a residence, the occupant's profession, home occupation or title, and the address of the dwelling is permitted subject to the following:
    - (A) This sign shall not exceed four (4) square feet in area, nor eight (8) feet above grade at the sign.
    - (B) This sign shall be located on the property to which it pertains and the number of signs shall be limited to one (1) for each dwelling.

- (C) This sign may be indirectly illuminated by one light bulb or fluorescent tube not exceeding 15 watts.
- 2. Identification Signs:
  - (A) Signs identifying any allowed use within the Zoning District are permitted, subject to the following:
    - ! This sign shall not exceed twenty-four (24) square feet in area, and may not be double-faced.
    - ! This sign may be placed flat against a wall of a building or such sign may be free-standing, but placement against a wall of a building shall extend no higher than ten (10) feet above the grade at the base of the wall. The height of a free-standing sign shall not exceed ten (10) feet above the grade.
    - ! This sign shall contain no advertising copy.
    - ! This sign shall be located on the property to which it pertains and the number shall be limited to one (1) for each such use listed in 2.a above. Two (2) such signs shall be permitted if the parcel exceeds five (5) acres in area and has frontage on more than one publicly dedicated street or road.
  - (B) Signs identifying multi-family dwellings, apartment developments, boarding or rooming houses shall be allowed one sign per street frontage entrance, not exceeding sixteen (16) square feet in area each:
    - ! This sign may be placed flat against a wall of a building or such sign may be free-standing, but placement against a wall of a building shall be no higher than ten (10) feet above grade nor above the roof line. The height of a free-standing sign shall not exceed ten (10) feet above grade.
    - ! This sign shall be for residential identification purposes only and shall contain no business identification or advertising copy.
    - ! This sign shall be located on the property to which it pertains.
- 3. Subdivision Signs:
  - (A) Permanent subdivision entrance signs are permitted. At the major street entrance to a subdivision or development, not more than two (2) signs, indicating only the name, symbol, logo, or other graphic identification of the subdivision or development each sign not exceeding six (6) feet in height nor 50 square feet in area, attached to and not extending above a wall or fence are permitted.
- b. Temporary Signs: Temporary signs as provided in Section 2205.b are permitted subject to all regulations contained therein.

**Sec. 2208**

**SIGN REGULATIONS SPECIFIC TO LIGHT COMMERCIAL DISTRICTS:** No sign shall be placed or maintained in any TR (when used as commercial) or CB-1 zone except as follows:

- a. Identification or Advertising Signs identifying uses permitted in any TR, or CB-1 District and not located in a commercial or industrial center, are permitted subject to the following:
  - 1. Signs may be wall-mounted, free-standing or portable.
  - 2. The aggregate sign area on any one property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than twenty-four (24) square feet, and in no case shall the area exceed ninety-six (96) square feet.
  - 3. One free-standing sign is permitted, the area of which may not exceed one-third of the allowable total aggregate area for the property, except that the area of the sign need not be less than sixteen (16) square feet. This sign may be double-faced.
  - 4. Free-standing signs shall not exceed a height of twelve (12) feet, except that free-standing signs at interstate freeway interchanges (see definitions) in the CB-1 District shall not exceed a height of thirty (30) feet.
  - 5. Signs shall be located on the property to which they pertain.

6. In addition to the signs described above, each separately housed business may have one portable on-premise identification or advertising sign, not to exceed six (6) square feet in area, nor four (4) feet in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. (See Section 2203.s)
- b. Temporary Signs: Temporary signs as provided in Sections 2203.b, 2205.b and 2206.h are permitted, subject to all regulations contained therein.

**Sec. 2209 SIGN REGULATIONS SPECIFIC TO THE MEDIUM COMMERCIAL CB-2 DISTRICT:** No sign shall be placed or maintained in any CB-2 zone except as follows:

- a. Identification or Advertising (On-Premise): Signs identifying uses permitted in any CB-2 District and not located in a commercial or industrial center, are permitted subject to the following:
  1. Signs may be wall-mounted, free-standing, or portable.
  2. The aggregate sign area on any one property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than twenty-four (24) square feet, and in no case shall the area exceed one hundred twenty-eight (128) square feet.
  3. One free-standing sign is permitted, the area of which may not exceed one-half of the allowable total aggregate area for the property, except that the area of the sign need not be less than twenty-four (24) square feet. This sign may be double-faced.
  4. Free-standing signs shall not exceed a height of fifteen (15) feet, except that free-standing signs at interstate freeway interchanges (see definitions) shall not exceed a height of thirty (30) feet.
  5. In addition to the signs described above, each separately housed business may have one portable on-premise identification or advertising sign, not exceeding six (6) square feet in area, nor four (4) feet in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. (See Section 2203.s)
- b. Off-Premise Signs: Off-Premise signs are permitted, subject to Section 2206.h.
- c. Temporary Signs: Temporary signs as provided in Section 2203.b and 2205.b are permitted, subject to all regulations contained therein.

**Sec. 2210 SIGN REGULATIONS SPECIFIC TO THE INDUSTRIAL DISTRICTS:** No sign shall be placed or maintained in any CI-B, CI-1, CI-2 District except as follows:

- a. Identification or Advertising Signs (On-Premise): Signs identifying or advertising uses permitted in any CI-B, CI-1, CI-2 District not located in a commercial or industrial center are permitted subject to the following:
  1. Signs may be attached to a wall of a building or such sign may be free-standing or portable.
  2. The aggregate sign area for any one property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than sixty (60) square feet, and in no case shall the area exceed one hundred sixty (160) square feet.
  3. One free-standing sign is permitted, the area of which may not exceed one-half of the allowable total aggregate area for the property; except that the area of the sign need not be less than twenty-four (24) square feet. This sign may be double-faced.
  4. Free-standing signs shall not exceed a height of fifteen (15) feet, except that free-standing signs at interstate freeway interchanges (see definitions) shall not exceed a height of thirty (30) feet.
  5. In addition to the on-premise signs described above, each separately housed business may have one portable identification or advertising sign, not to exceed six (6) square feet in area, nor four (4) feet in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. (See Section 2203.s)
- b. Off-Premise Signs: Off-Premise signs are permitted, subject to all regulations



contained in Section 2206.

- c. Temporary Signs: Temporary signs as provided in Section 2203.b, 2205.b and 2206.h are permitted, subject to all regulations contained therein.

**Sec. 2211 SIGN REGULATIONS, SPECIFIC TO THE PAD DISTRICTS AND SPECIAL USE PERMITS:** Permanent and temporary signs are permitted as stipulated in the PAD, or Special Use Permit approval, or (if not stipulated) consistent with the regulations of the underlying zoning.

**Sec. 2212 SIGN REGULATIONS, SPECIFIC TO MANUFACTURED/MOBILE HOME, TRAVEL TRAILER-RECREATIONAL VEHICLE PARKS:**

- a. Signs placed or maintained within any Manufactured/Mobile Home, Travel Trailer-Recreational Vehicle Parks are subject to all the regulations set forth under Section 2207.a.1 (Name Plate Signs).
- b. Permanent entrance signs shall comply with the regulations set forth under Section 2207.a.3 (Subdivision Signs).

**Sec. 2213 OFFICE COMPLEXES, COMMERCIAL, AND INDUSTRIAL CENTERS IN THE CB-1, CB-2, CI-1, CI-2, CI-B TR, SR, SH, PAD ZONING DISTRICTS:** Signs pertaining to a group of two (2) or more businesses associated by a common agreement or common ownership with common parking facilities are permitted subject to the following regulations:

- a. Individual business signs shall be in accordance with the following:
  - 1. The total aggregate area of all signs on the site pertaining to any one business shall not exceed thirty-two (32) square feet. However, if the portion of the building adjacent to its lot's street property line measures more than forty (40) feet, then the total aggregate area of one face of all such signs on the site may be increased in area at the rate of one (1) square foot of sign area for each foot of building frontage in excess of forty (40) lineal feet; but the total aggregate area of all such signs on the site shall not exceed forty eight (48) square feet for each separate business. For corner buildings, only the main entrance frontage shall be so measured.
  - 2. When two (2) or more businesses occupy one (1) building with common entrances, (i.e. without separate entrances) they shall be considered one (1) business for sign computation purposes.
  - 3. Such signs shall be wall mounted or under canopy signs.
  - 4. Under canopy signs shall be business identification signs and shall be limited to one per business and maximum six (6) square feet in area.
- b. Center Identification signs shall be in accordance with the following:
  - 1. One (1) free-standing center identification sign per street frontage of the entire site is permitted provided that:
    - (A) Such signs shall identify the center only, and shall not be counted in the total aggregate sign area for individual business identification.
    - (B) The maximum area does not exceed thirty-two (32) square feet per sign and maximum height does not exceed twelve (12) feet.
  - 2. A second such free-standing sign shall be permitted for a lot whose street frontage measures greater than two hundred (200) feet. Where such second sign is permitted, it shall be at least one hundred (100) feet from the other sign.
- c. Directory signs may be provided to identify and direct (with location numbers and/or arrows) to individual businesses in an office complex or commercial/industrial center in accordance with the following:
  - 1. No more than one such sign per tenant business per directory.
  - 2. Each sign shall not exceed one square foot in area. Such sign's area shall be permitted in addition to the aggregate permitted in 1.a above.
  - 3. Such signs shall be placed together in one or more groups at points nearest the pedestrian entrances to the businesses so indicated.
  - 4. Such signs or groupings of signs shall be wall-mounted or mounted on free-standing monument sign standards.

5. Such signs or groupings of signs shall not exceed six feet in height.

**Sec. 2214 SIGN PERMITS:**

- a. Permit Required: A sign permit shall be secured from the Pinal County Planning & Development Services Department prior to the erection, relocation, construction, installation or substantial reconstruction (including enlarging a painted sign on the surface of a permitted structure) of any non-exempt sign exceeding six (6) square feet in area, or higher than eight feet above grade at the sign, regardless of value, according to the following:
- b. Fees: A uniform fee as provided for in Article 27, shall be paid for each sign permit application.
- c. Sign Permit Applications: Each application for a sign permit shall be made at a County Planning & Development Services Department office on the appropriate form(s) and shall contain the information as required in Article 27.
- d. Sign Sticker or Tag: Each permitted sign shall display an official County tag or sticker indicating its assigned permit number affixed to the face or support of the sign on the side facing the street in a visible location.
- e. Pre-Existing Signs:
  1. Legal conforming signs and legal non-conforming signs existing prior to the effective date of this ordinance shall be permitted to continue subject to Article 3, Section 306. Continuation shall include the right to re-paint or change the message or copy on the sign provided the size and height is not increased and provided the sign is not converted from the on-premise to off-premise use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign.
  2. Pre-existing signs shall be inventoried and identified by the County as pre-existing. Such signs shall have an identification tag or sticker affixed to its surface by the County denoting its inventoried pre-existing status.
- f. Signs Not Requiring Permits: Signs not requiring permits by virtue of their height and size must nevertheless comply with all other requirements and restrictions of this Ordinance.
- g. Temporary Sign Permits: Signs with a limited duration of use (such as those provided in Sections 2203.b, 2204.b, 2205.h) shall obtain a Temporary Sign Permit. The requirements and criteria for such signs are as follows:
  1. Temporary Sign Permits shall be issued for no more than one (1) year. An extension of a Temporary Sign Permit shall be made the subject of application for a Special Use Permit (Section 2302).
  2. Temporary Signs shall conform to all other requirements of this Ordinance.
  3. The fee for a Temporary Sign Permit shall be the same as a permanent sign permit except as otherwise noted.

**Sec. 2215 FLEXIBILITY PROVISIONS:**

This section sets forth a procedure which provides flexibility in the Sign Code for signs or sign packages not allowed in Article 22, Sections 2201 through 2214, or as the result of a stipulation to a zoning approval. The procedures include the use of design review to receive additional height and area for signs.

- a. A Sign Review Committee (SRC) consisting of staff from Planning and Development, Public Works, County Manager's Office, and a Pinal County resident not employed by Pinal County shall be appointed to review Comprehensive Sign Packages. Planning and Development staff will coordinate the preparation and submission of the Comprehensive Sign Package. The SRC will make a recommendation to the Director of Planning and Development Services, who will make the final decision. Any person aggrieved by the determination may appeal that decision to the Board of Supervisors
- b. A permit utilizing the Comprehensive Sign Package is intended to encourage a flexible procedure to allow signage which is not in strict compliance with the provisions of the district regulations under this Sign Ordinance, but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual

- environment, promotes traffic safety and is regulated to the extent necessary to be consistent with the purpose and intent of this Sign Ordinance as specified in Section 2201.
- c. The Planning and Development Services Department may issue use permits for Comprehensive Sign Packages or where mandated by a stipulation to a zoning approval. The use permit, or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the Sign Review Committee, as approved by the Director of Planning and Development Services, to assure that signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general.
  - d. Comprehensive Sign Packages approved under this section shall be evaluated based upon the following criteria:
    1. **Placement.** All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not a wall of the space occupied by those tenants.
    2. **Quantity.** The number of signs that may be approved within any development shall not be greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development sub-areas, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
    3. **Size.** All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences. Specific justification must be made if a request is submitted for a free-standing or wall sign to exceed by more than fifty percent (50%) any maximum height standard or by twenty-five percent (25%) any maximum area standard allowed in the regular ordinance. There shall be no prescribed limit on the percentage by which a Comprehensive Sign Package may allow a directional sign to exceed the area or height restrictions permitted on the site.
    4. **Materials.** Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.
    5. **Context.** The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.
    6. **Considerations.** In making its determination to approve additional signs, the SRC shall consider the following standards:
      - (a) the views of/from adjacent properties are not impaired;
      - (b) the signs do not interfere with public utilities, government uses, transportation, landscaping or other factors felt relevant by the SRC;
      - (c) the width of the street, the traffic volume, and the traffic speed warrant the proposed signage;
      - (d) the signs do not pose a hazard to public safety.
  - e. **Amendments.** Applications for amendments to the Comprehensive Sign Package shall be processed in the same way as an original application.
  - f. **Minor Alterations.** Minor Alterations in sign locations resulting from unexpected conditions on site may be approved by the Director of Planning and Development Services.

- g. **Submittal Package.** Four (4) copies of the following should be submitted with the sign application to be reviewed by the SRC.
1. A justification letter describing the request and how the sign structure, materials, and colors are compatible with the project's building architecture. Include a list in outline form of each sign requested, both freestanding and wall, to include verbiage, area in square feet, and height.
  2. An inventory and photographs of any or all existing freestanding signs.
  3. Preliminary Site/Landscape Plan
    - (a) A vicinity map showing the location of the property in relationship to adjoining properties.
    - (b) Provide a north arrow, date of plan preparation, with subsequent revision dates. Project title and address. Architect and/or consultant's name, address, and telephone number. Property owner name, address, and telephone number.
    - (c) Provide a data table on the site plan that includes existing zoning and the net site area.
    - (d) Show property boundaries and dimensions.
    - (e) Show adjacent street right-of-way, existing and proposed; and existing/proposed street and sidewalk improvements noted to centerline.
    - (f) Show location of conceptual or existing landscape concepts including trees, shrubs, ground covers, berms, and screen walls.
    - (g) Show location of proposed freestanding signs including dimensions, height, materials and colors, and method of illumination.
    - (h) Include elevations of buildings showing wall sign locations with dimensions.
    - (i) When more than one sign is located on a property, or where more than one building or business is located in a single development project, such as a shopping center, a Comprehensive Sign Package shall be submitted demonstrating consistency and uniformity among signs within the project.  
The requirements of a Comprehensive Sign Package shall apply to all businesses within a related project, even if the properties have been subdivided. Revisions or amendments to the Comprehensive Sign Package shall require documentation from all tenants on the property prior to approval.

**See Appendix for Sign Review Committee Evaluation Sheet:**

## ARTICLE 23

### GENERAL PROVISIONS AND EXCEPTIONS

- Sec. 2301 RESTRICTIVENESS OF ZONES:** The various zones are given the following value, from the highest to the least restrictive:
1. CR-1A Single Residence Zone
  2. CR-1 Single Residence Zone
  3. CR-2 Single Residence Zone
  4. CR-3 Single Residence Zone
  5. CR-4 Multiple Residence Zone
  6. CR-5 Multiple Residence Zone
  7. SR Suburban Ranch Zone
  - 7a. SR-1 Suburban Ranch Zone
  8. SH Suburban Homestead Zone
  9. CAR Commercial Agricultural Ranch Zone
  10. GR General Rural
  - 10a. GR-5 General Rural
  - 10b. GR-10 General Rural
  11. MH Manufactured/Mobile Home Zone
  12. RV Recreational Vehicle Homesite Zone

13. MHP Manufactured/Mobile Home Park Zone
14. PM/RVP Park Model Recreational Vehicle Park Zone
15. TR Transitional Zone
16. CB-1 Local Business Zone
17. CB-2 General Business Zone
18. CI-B Industrial Buffer Zone
19. CI-1 Light Industry & Warehouse Zone
20. CI-2 Heavy Industrial Zone

**Sec. 2302** **ADDITIONAL USE REGULATIONS AND CONDITIONAL USES:** The County Planning Commission may, as a conditional use in the form of a Special Use Permit, after public hearing, authorize the location of the following buildings, structures or uses in a district from which they are prohibited by this Ordinance, when found to be in the interest of the public health, safety and general welfare of the community and surrounding areas:

- a. Airport, heliport or landing field
- b. Amusement park or outdoor theater
- c. Cemetery or mausoleum
- d. Circus or carnival grounds
- e. Community building or recreation field
- f. Hospital, clinic or institution
- g. Privately and commercially operated recreational lake, swimming pool or tennis court
- h. Public or governmental buildings
- i. Race track
- j. Signs
- k. Sport arena
- l. Stable
- m. Zoo, public or private
- n. Such other uses as the Planning Commission may deem appropriate in the public interest.

Before issuance of any conditional use for any of the above buildings, structures or uses, or before any change of use of the premises existing at the time of the effective date of this Ordinance or as permitted herein provided, is made, preliminary plans in sufficient detail and a statement as to the proposed use of the buildings, structures and premises shall be submitted to the County Planning Commission. These plans and statement shall be referred to the Planning Commission for study and report, and for public hearing. The Commission shall review such plans and statement and shall, after a careful study thereof and the effect that such buildings, structures or uses will have upon the surrounding territory, recommend such buildings, structures or uses where requested to be permitted provided the public health, safety, morals and general welfare will not be adversely affected, that ample off-street parking will be provided and that necessary safe-guards will be provided for the protection of surrounding persons and neighborhood values.

Any buildings, structures or uses listed in paragraph 1 of this section, existing at the effective date of this Ordinance, shall be considered a non-conforming use, unless it has qualified as provided above, and has secured a Special Use Permit, or has secured a use permit from the Board of Adjustment.

When found to be in the interest of the public health, safety, morals and general welfare, the Board of Adjustment is hereby authorized to approve any and all additions or structural alterations to special uses after they have qualified and have been approved by the County Planning Commission.

**Sec. 2302-1** **PROCEDURES; APPLICATION:** Application for a Special Use Permit shall be made by the owner or his representative, to the Planning and Zoning Commission and shall be accompanied by:

- a. Accurate plot plans and descriptions of the property involved and the proposed use with preliminary floor plans and elevations of all proposed buildings.
- b. Evidence satisfactory to the Commission, of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six

(6) months after issuance of permit.

- c. An accurate, verified list, made within the previous 30 days, giving the names and address of the owners of all properties lying within 300 feet of the subject property.

**Sec. 2302-2 FILING FEE AND COST:** A uniform, non-refundable fee, as set forth in Article 27 shall be paid to the County Planning and Development Services Department upon each application.

**Sec. 2302-3 CONDITIONAL APPROVAL:** In approving any Special Use Permit, the Commission may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of the regulation or provision of which such Special Use Permit is granted, and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted. Where any condition under which a Special Use Permit has been granted is violated, the Zoning Inspector shall file a report with the Commission. The Commission, after a public hearing, shall determine whether or not said permit should become null and void. Should the Commission determine the permit to be null and void, the Zoning Inspector shall proceed in accordance with Section 2712 of this Ordinance.

**Sec. 2303 PUBLIC UTILITIES PERMITTED:** Nothing in this Ordinance shall prevent the location, erection, alteration or maintenance of pipes, poles, wires, and similar installations necessary to distribute public utilities. In addition to other provision of this Ordinance, the following shall be permitted in any zone and shall not be subject to the minimum lot area requirements:

- a. Water pumping and storage facilities operated as part of a system serving two (2) or more properties as a public, private or community utility, subject to the requirements for detached accessory buildings in the zone which located and provided a wall or hedge is used in conjunction with such facilities, its center shall be located a distance from any lot line equal to not less than one-half its height.
- b. Telephone, telegraph or power substation shall be in keeping with the character of the zone in which located. A substation not enclosed within a building shall be subject to the minimum front yard and side yards of the zone in which located and to appropriate screen planting along any street frontage, which plantings and any necessary fencing shall be set at a distance not closer to a street lot line than the minimum front and side yards of the zone.

**Sec. 2304 CLAY, SAND OR GRAVEL PITS, ROCK OR STONE QUARRIES, GAS OR PETROLEUM DRILLING PERMITTED:** Clay, sand or gravel pits, rock or stone quarries, and drilling for petroleum or natural gas may be permitted in any zone, provided that a Special Use Permit is obtained prior to the operation of any such use.

**Sec. 2305 PARKING LOTS IN RESIDENCE ZONES:** Land in a residence zone contiguous to a business or industrial zone and not exceeding 30,000 square feet in area, may be used for automobile parking space; provided the conditions of Section 2103 are complied with, that a front yard of 20 feet be provided, planted and maintained in keeping with the residential neighborhood, that side and rear yards of 10 feet each be provided and that no entrance be provided from an alley at the rear of said parking lot.

**Sec. 2306 PLANS FOR NON-CONFORMING USE:** Any owner of land zoned under this Ordinance who shall file in writing with the Planning and Zoning Commission within 180 days after the effective date of this Ordinance a plan of development for such land including uses not permitted by the zoning, shall be issued a special non-conforming hardship use permit by the Board of Adjustment for said proposed development. or any part thereof, at any time within 2 years from the effective date of this Ordinance; and if any temporary governmental regulations prohibiting the proposed development is in full force and effect during said 2 year period, the time limit shall be extended for an additional period equal to the time said governmental regulations are in effect, but no such permit shall be issued more than five (5) years after the effective date of this Ordinance. Said plan of development shall conform to the minimum standards of the most restrictive zone in which said use would be a conforming use under this Ordinance.

**Sec. 2307 HEIGHT LIMIT EXCEPTIONS:** The height limits of this Ordinance shall not apply to:

- a. Barns, chimneys, conveys, cupolas, derricks, domes, flag poles, observation towers, parapet walls extending not more than four (4) feet above the height limit of the building, radio or television towers, masts and aerials, silos, smokestacks, transmission towers, windmills and power poles.
- b. Churches, hospitals, sanatoriums, schools or other public and semi-public buildings. Any such building may be erected to a height not exceeding 40 feet, provided the minimum side and rear yards are increased by an additional foot in width or depth for each foot by which the height of such buildings exceed the maximum height permitted in the zone in which such building is to be located.
- c. Bulkheads, elevators, penthouses, monitors, scenery loft and water tanks; provided that such structures above the height limits specified for the zone shall not in the aggregate occupy more than 25% of the area of the lot and provided that no linear dimensions of any such structure shall be greater than one-half the length of the corresponding street lot line if the structure is within 25 feet of such street.
- d. Monuments or towers, including fire or hose towers, cooling towers, gas holders, grain elevators, sugar refineries or other structures where the manufacturing process requires a greater height; provided that such structures above the height limit specified for the zone shall not in the aggregate occupy more than 25% of the area of the lot and shall be located a distance not less than 25 feet from every lot line not a street lot line and not less than one foot from the opposite side of each abutting street for each foot of the vertical height.

**Sec. 2308 SPLITTING OF LOTS:** No lot or parcel of land held under one ownership on the effective date of this Ordinance shall be reduced in size below the minimum lot area or lot width required by this Ordinance, and no building or use permit shall be issued for such deficient lot or parcel or portion thereof; except that on one street frontage of any one block of a subdivision, where lots having less than the minimum lot area or lot width, existed prior to the effective date of this Ordinance and existing unimproved lots are isolated from other unimproved lots so that minimum size building sites cannot reasonably be made, the existing unimproved lots may be used if split in accordance with the pattern previously established for the block, provided that any new lot or building site so formed has not less than 80% of the minimum lot area and lot width required in the zone.

**Sec. 2308-1 LOT SPLITTING FOR TOWNHOUSES:** In zones designated CR-4, CR-5, TR and CB-1, single dwellings constructed as part of series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls, or are located immediately adjacent thereto with no visible separation between walls or roofs, may be individually owned if so indicated upon the plat setting forth the area of individual ownership. Where common areas, private roads, or common open space are provided, it shall be a requirement that a mandatory homeowner's association be established so long as the property use remains. The lots so created shall be subject to all Pinal County subdivision regulations. The density requirement under this section shall be no more than one dwelling unit per 2,800 square feet or the density requirement of the zone in which the lots are created shall apply, whichever is more restrictive.

- a. Building setback requirements shall be the same as the setback requirements in the zone where the lots are created and shall be determined from the boundaries of the proposed development.

**Sec. 2309 EXCEPTIONS FOR LOTS OF RECORD:** The following shall apply to any lot shown upon an official subdivision map duly approved and recorded prior to the effective date of this Ordinance, or any lot for which a bona fide deed is on record in the office of the County Recorder of Pinal County or for which a valid, bona fide contract of sale is in full force and effect at the time this Ordinance becomes effective, and said map, deed or contract of sale is of record on said date, and to any lot split in accordance with the exception of Section 2308.

- a. Any such lot may be used as a building site, provided the yard and other requirements of this Ordinance are complied with, or provided further, that if private subdivision restrictions or regulations were of record and unexpired on the effective date of this Ordinance establishing less restrictive yard and area requirements for

said lot, and at least one lot in said subdivision was improved in compliance with said private restrictions prior to said effective date, and that said private restrictions as to yard and area requirements or modifications thereof have been approved by the Board of Adjustment under Section 2403-d of this Ordinance as being in harmony with the purposes of said section, the Zoning Inspector may issue a permit under said private restrictions as to yard and area requirements for any use permitted by this Ordinance for said lot, but no permit shall be issued for more than one dwelling unit on any lot having less than the minimum area per dwelling unit of the zone in which said lot is located.

- b. Each minimum side yard may be reduced by 2 inches for each one foot by which such lot is narrower than 55 feet; provided that no minimum side yard shall be narrower than five (5) feet.
- c. The minimum rear yard may be reduced 3 inches for each one foot by which such lot is less than 125 feet in depth, provided that no minimum rear yard shall be less than 20 feet.

**Sec. 2310 REAR DWELLING REQUIREMENTS:** In addition to the requirements of this Ordinance, the following shall apply to any dwelling in the rear of a principal building:

- a. There shall be provided an unoccupied and unobstructed access way to a street, which access way shall have a width of at least 15 feet for one (1) dwelling unit and at least 20 feet for two (2) or more dwelling units.
- b. For the purpose of determining the front yard for a rear dwelling in any CR-1, CR-2 or CR-3 zone, the rear line of the rear yard required for the building in the front shall be considered the front lot line for the building in the rear.

**Sec. 2311 STRUCTURES IN THE FRONT YARD ON CORNER LOTS:** On any corner lot, no fence, structure, sign or planting shall be erected or maintained within 20 feet of the property corner so as to interfere with traffic visibility across the corner.

**Sec. 2312 FRONT YARD EXCEPTIONS FOR EXISTING ALIGNMENT:**

- a. In any rural or residential zone where a lot adjoins lots having existing front yards less than the minimum required by this Ordinance, the minimum front yard on said lot shall be the average of the existing front yards on the two adjoining lots, or if only one of the lots is built upon, such front yard of the adjoining lot and the minimum front yard of the zone; provided no such front yard shall be less than 10 feet.
- b. In any CB-1 or CB-2 zone where one or more buildings used for commercial or industrial purposes and located on interior lots have the minimum front yard required on all other lots within the same block front and not more than 500 feet from said existing building, need not be greater than the least front yard existing.
- c. In any zone, any property fronting or abutting, on a turn-around at the end of a cul-de-sac, or similar increased radii of the street property line at the angle in a street, the minimum front yard required shall be one-half of the front yard required in the particular zone.

**Sec. 2313 EXCEPTIONS FOR WALLS AND FENCES:** The yard requirements of the Ordinance shall not apply to walls or fences less than 4 feet 6 inches in height when located in front yards, or less than 6 feet in height when located in side or rear yards.

**Sec. 2314 PROJECTIONS INTO YARDS:** Unenclosed porches and stairways, unroofed and unenclosed above or below floor or steps, may project not more than 3 feet into any minimum side or rear yard. Unroofed swimming pools and open terraces not over 3 feet high above the average natural grade and distant at least 5 feet from every lot line, may project into any minimum side or rear yard. In any business or industrial zone, a marquee, canopy or awning, suspended or cantilevered from a building, either for the purpose of, or giving the appearance of shelter or shade may project not more than 10 feet into any minimum front yard.

**Sec. 2315 REAR YARD ADJOINING ALLEY:** A minimum rear yard may be measured to the center line of an alley adjoining such rear yard, provided that the required rear yard shall not be reduced more than 10 feet.



- Sec. 2316 REAR YARD EXCEPTION ON CORNER LOT:** On any corner lot in a CR-3, CR-4, CR-5, TR or CB-1 zone, the minimum rear yard may be reduced to not less than 10 feet from the rear property line, provided the minimum side yard on the side street increase by 10 feet, and off-street parking provision of this Ordinance are complied with.
- Sec. 2317 ACCESSORY BUILDING ATTACHED TO MAIN BUILDING:** An accessory building attached to the main building shall have at least 50% of the length of one of its walls integrated with the main building and such accessory building shall comply in all respects with the requirements for the building.
- Sec. 2318 DETACHED ACCESSORY BUILDING ON CORNER LOT:** On any corner lot an accessory building shall be not closer to the street lot line than the width of the side yard required for the main building on that lot; provided further that where the rear of a corner lot adjoins a key lot, no part of an accessory building within 10 feet of the rear lot line, shall be nearer the street side lot line than the depth of the front yard required on the key lot.
- Sec. 2319 EXCEPTION FOR DETACHED ACCESSORY BUILDING:** A private garage or other accessory building may be built on or across a common lot line by mutual agreement between the adjoining property owners.
- Sec. 2320 EXCEPTION FOR SLOPE:** Parking spaces or detached garages may be occupied or built to within 5 feet of the street line on any lot where the slope of the front half of the lot is greater than 1 foot rise or fall in a 7 foot run from the established street elevation at the property line or where the elevation of the front half of the lot is more than 4 feet above or below the established street elevation at the property line.
- Sec. 2321 MAINTENANCE OF STOCK-TIGHT FENCES:** All livestock and poultry kept in any SR, SH or any residential, business or industrial zone shall be kept confined by fences or other restraints of sufficient strength and durability to prevent such livestock and poultry from roaming at large.
- Sec. 2322 (DELETED 3-30-87)**
- Sec. 2323 REDUCTION OF LOT-SIZE REQUIREMENTS IN THE CR-1 ZONE:** Minimum lot-size requirements for lots in a subdivision may be approved by the Supervisors in CR-1 zones for reduction from 20,000 to 12,000 square feet, where the following conditions exist and the Commission finds and certifies them to the Supervisors.
- a. That in total there are no more individual one-family lots than one per gross acre of the area of the subdivision zoned CR-1.
  - b. That the subdivision and all park, recreation and drainage area conform to the adopted County Plan, including area and neighborhood plans, as supplemented and amended.
  - c. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural water courses.
  - d. That an area is dedicated for drainage purposes or permanently reserved for park or recreational purposes, whether by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes; that the total extent of said park, recreation, or drainage areas is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than 20,000 square feet; that in no event is the size of any single park or recreation area any less than 4 acres; and that said park and recreation areas, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.
- Sec. 2324 REDUCTION OF LOT-SIZE REQUIREMENTS IN THE CR-2 ZONE:** Minimum lot-size requirements for lots in a subdivision may be approved by the Supervisors in CR-2 zones for reduction from 12,000 to 8,000 square feet, where the following conditions exist and the Commission finds and certifies them to the Supervisors.
- a. That in total there are no more individual one-family lots than two lots per gross acres of the area of the subdivision zoned CR-2.

- b. That the subdivision and all park and recreation areas conform to the adopted County Plan, including area and neighborhood plans, as supplemented and amended.
- c. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural water courses.
- d. That an area is dedicated or otherwise permanently reserved for park or recreation purposes, either by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes; that the total extent of said park or recreation area is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than 12,000 square feet; that in no event is the size of any single park or recreation area any less than 4 acres; and that said park and recreation area, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.

**Sec. 2325 REDUCTION OF LOT-SIZE REQUIREMENTS IN THE CR-3 ZONE:** Minimum lot-size requirements for lots in a subdivision may be approved by the Supervisors in CR-3 zones for reduction from 7,000 to 5,000 square feet, where the following conditions exist and the Commission finds and certifies them to the Supervisors.

- a. That in total there are no more individual one-family lots than 3.4 lots per acre of the area of the subdivision zoned CR-3.
- b. That the subdivision and all park and recreation areas conform to the adopted County Plan, including area and neighborhood plans, as supplemented and amended.
- c. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural water courses.
- d. That an area is dedicated or otherwise permanently reserved for park or recreation purposes, either by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes; that the total extent of said park or recreation area is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than 7,000 square feet; that in no event is the size of any single park or recreation area any less than 4 acres; and that said park and recreation areas, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.

**Sec. 2326 APPROVED PLAT RECORDATION REQUIRED FOR LOT-SIZE REDUCTION:** No approval of a minimum lot-size reduction under Section 2323, 2324, or 2325 shall be effective until a subdivision plat complying with the Commission's findings and certification under Sections 2323, 2324, or 2325 and approved by the Commission and Supervisors is recorded in the office of the County Recorder of Pinal County, Arizona.

**Sec. 2327 INDIVIDUAL LOT-SIZE REDUCTIONS:** Section 2323, 2324, and 2325 shall not affect the powers of the Board of Adjustment under Section 2403-c to allow reduction of individual lot sizes on the basis provided in Section 2403-c.

**Sec. 2328 SPECIAL DENSITY PERMIT FOR HANDICAPPED/DISABLED CARE DWELLING UNIT:**

**Definition: Handicapped/Disabled Person:** A person who has a physical or mental impairment which substantially limits one or more of his/her major life acts: has a record of such an impairment or is regarded as having an impairment.

The Planning and Zoning Commission and the Board of Supervisors expressly find there is a need in Pinal County for housing handicapped/disabled persons who are able to live within their communities, provided they have personal care, attention and assistance, but who otherwise would have to be confined to a hospital, sanitorium, nursing center, supervisory care facility or similar health care environment where their personal needs can be adequately met. In order to meet this need, to preserve the dignity and usefulness of these persons, and to strengthen and protect the role of the family in our communities, a

Special Density Permit (SDP) for handicapped/disabled care dwelling unit is hereby created and made subject to the following requirements and regulations.

- a. Special Density Permit (SDP) allows one additional dwelling unit to be built or moved onto a parcel for the use:
  1. By a handicapped/disabled person(s) who needs assistance and support from family living in the primary residence;
  2. By a family member who is providing care, assistance and support to the handicapped/disabled person(s) in the primary residence;
  3. By a health care provider expressly employed for the purpose of providing health care for the handicapped/disabled person(s) residing in the primary residence.
- b. An SDP is granted to the property owner and does not adhere to or run with the land. It is not transferable and terminates automatically as soon as the beneficiary no longer resides on the property. It also terminates where a lot split separates the main dwelling unit from the extra dwelling unit. Only one SDP may exist at any time for one parcel. An SDP is not a substitute for a building or installation permit required for the extra dwelling unit.
- c. An SDP may be granted:
  1. If the beneficiary is physically or mentally impaired and incapable of caring for themselves. The beneficiary must also be in such need of care, attention, and support that not being granted an SDP will result in the individual being confined to a hospital, sanatorium, nursing center, supervisory care facility or similar health care environment where their personal needs can be adequately met. A letter from a physician on office letterhead must be included with the application verifying this need.
- d. Neither the applicant, nor any other person shall receive rent or any other valuable consideration for allowing a person to live in a dwelling unit under an SDP. This should not be construed as to prevent a health care provider from receiving remuneration for health care services provided. Once the extra dwelling unit ceases to be used as approved, the kitchen must be removed from a site built extra dwelling unit or if a manufactured/ mobile home, the extra dwelling must be removed from the site.

In either instance, the County Planning and Development Services Department must be contacted so as to make an inspection. An affidavit must be submitted by the applicant indicating a commitment to concur with all the requirements of this section.
- e. An SDP shall be allowed only in the following zones: SR, SH, CAR, GR, CR-1, and CR-1A. The extra dwelling unit shall be a site built dwelling unit if located in a CR-1 or CR-1A zone. The extra dwelling unit shall be a manufactured/mobile home or travel trailer/recreational vehicle if located in a SR, SH, CAR, or GR zone. Any extra dwelling unit authorized under an SDP shall comply with the same setback, yard, height and other requirements imposed on the primary dwelling unit in that zone.
- f. Application for an SDP shall be made to the Director of Planning and Development Services by the landowner or tenant in possession, with the signed approval of the landowner. The application shall be accompanied by an accurate site plan drawn to scale which identifies the location of the proposed extra dwelling unit, the legal description of the property involved, the name and relationship to the beneficiary, information on how the sewage from the extra unit will be disposed of, the sworn affidavit required in subsection d, and the non-refundable application fee set forth in Article 27, Section 2705.d.3. The information on sewage disposal shall be sufficient for the Health Department to determine whether the provisions are adequate, and no SDP may be issued without the written approval of the Health Department. The application shall also be accompanied by an accurate verified list, made within the previous thirty (30) days, giving the names and addresses of the owners of all properties lying within 300 feet of the subject property.
- g. Upon receipt of the application fee, and the information required on the application form, the application will be reviewed by the Development Services Director who shall approve, conditionally approve, or disapprove such application. If the request for an SDP is approved, notification of the installation of a second dwelling unit

shall be sent to all property owners located within 300 feet of the subject property. Any person aggrieved by the decision of the Director may file an appeal with the Board of Adjustment and Appeals as per Article 24 and 25.

- h. All financial or other obligations occurring to the property owner or his authorized agent as a result of approval or conditional approval of an SDP are the sole responsibility of the property owner or his authorized agent.

**Sec. 2329**

**TEMPORARY USE PERMIT:** The Planning and Zoning Commission and the Board of Supervisors find that there is a need in Pinal County for the issuance of Temporary Use Permits for those temporary uses which are required for the proper function of the County or constructing a public facility. Such uses shall be so conducted that they will not be detrimental in any way to the established economic or social uses and values of adjacent or surrounding properties or to the County.

- a. Temporary use Permits (TUP) may be allowed for the following temporary uses:
  - 1. Temporary batch plant,
  - 2. Parking and storage of earth moving or construction equipment,
  - 3. Off-site contractor's equipment yard or warehouse incidental to the carrying on of public works projects, subdivision or construction projects,
  - 4. Real estate sales office in conjunction with a subdivision or construction project,
  - 5. Fair, carnival or circus
  - 6. Tent show or revival meeting,
  - 7. Such other uses as the Director of Planning and Development Services deems to be within the intent and purpose of this section.

A TUP is personal and does not adhere to or run with the land. It is not transferable and it terminates automatically on the date specified on the "permit" or at such time it is found any other specified condition has not been met.

A TUP is not a substitute for a zoning clearance or any building or installation permits required.

- b. A TUP shall only be approved or conditionally approved for those uses which will not be detrimental in any way to the established economic or social uses and values of adjacent or surrounding properties or to the County, nor detrimental to the public health, peace, safety, comfort, convenience and general welfare of the citizens of Pinal County.
- c. Application for a TUP shall be made to the Director of Planning and Development Services by the property owner or his authorized agent. The application package shall include the following:
  - 1. A non-refundable application fee as specified in Article 27, Section 2705.d.9.
  - 2. Copy of the most currently recorded deed for the parcel.
  - 3. Legal description of the subject area, if other than item two (2).
  - 4. An accurate verified list, made within the previous thirty (30) days, giving the names and addresses of the owners of all properties lying within 300 feet of the subject property.
  - 5. The written consent of at least 51% of the owners, by number and area, of all properties any part of which is within 300 feet of the subject property.
  - 6. A map of the area (Tax Assessor Parcel Map is preferred).
  - 7. An explanation of the exact use proposed and the reasons for the request.
  - 8. Sufficient information on sewage disposal for the Health Department to determine whether the provisions are adequate.
  - 9. An accurate site plan drawn to scale showing:
    - A. Size and shape of the parcel,
    - B. Location of all proposed and existing buildings and uses,
    - C. Parking areas, including access and surfacing material,
    - D. Location of all easements on the parcel,
    - E. Method of sewage disposal,
    - F. All adjacent rights-of-way.
  - 10. A sworn affidavit by the property owner or his authorized agent required in subsection f.
  - 11. Written approval from the Health Department, Highway Department and Air Quality Control Department.

- d. Upon receipt of the application fee, and the information required in subsection c, the application will be reviewed by the Development Services Director who shall approve, conditionally approve, or disapprove such application. Any person aggrieved by the decision of the Director may file an appeal with the Board of Adjustment and Appeals as per Article 24 and 25.
- e. In approving such a permit, the approval shall be made subject to a time limit and other conditions deemed necessary to assure that there will be no adverse effect. Such conditions may include but are not limited to the following:
  - 1. Regulation of hours,
  - 2. Regulation of lights,
  - 3. Requirement of bonds or other guarantees for cleanup or removal of structure or equipment,
  - 4. Such other conditions deemed necessary to carry out the intent and purpose of this section.
- f. All financial or other obligations occurring to the property owner or his authorized agent as a result of approval or conditional approval of a TUP are the sole responsibility of the property owner or his authorized agent.

**Sec. 2330**

**GENERAL INFORMATION, LOCATION, AND USE FOR FACTORY BUILT BUILDINGS (MODULAR, MANUFACTURED HOMES AND MOBILE HOMES:**

The Pinal County Zoning Ordinance for the unincorporated area of Pinal County provides for the residential use of a factory built building (modular), manufactured home and mobile home as follows:

- a. Factory built building (modular):
  - 1. A structure fabricated in a factory and delivered to the building site in one or more sections;
  - 2. The structure shall be designed only for installation on a site-built permanent foundation and not designed to be moved once installed on the foundation. The unit shall include all the plumbing, heating, cooling and electrical systems of the building and shall bear the Arizona Insignia of Approval pursuant to A.R.S. § Section 32-1188;
  - 3. A factory built building shall be considered the same as a building and/or a dwelling unit; and
  - 4. Building permits for these structures may be issued only in those residential zones which allows conventional construction of homes as a permitted use.
- b. Manufactured home:
  - 1. A dwelling unit, transportable in one or more sections, manufactured after June 15, 1976, built to HUD standards with a HUD seal affixed, which:
    - A) In the traveling mode is greater than eight (8) feet in width or forty (40) feet in length, or when erected on a site, is more than three hundred twenty (320) square feet, and
    - B) Is built on a permanent chassis, and
    - C) Is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, which include the plumbing, heating, cooling and electrical systems therein and subject to all the standards itemized below:
      - 1) If a perimeter foundation wall is not installed, all sides of the home shall extend to meet the ground, or a facade with the appearance of a foundation wall shall be used on all sides of the home, or skirting of approved material in accordance with State Board of Manufactured Housing Rule R4-34-203 et. seq.
    - D) Installation permits for these structures may be issued only in accordance with those residential zones in which manufactured homes are a permitted use, pursuant to floodplain regulations.
- c. Mobile home:
  - 1. A transportable structure suitable for year round single family occupancy and having water, electrical and sewage connections similar to conventional dwellings, constructed prior to June 15, 1976, and the mobile home bears an Arizona Insignia of Approval as set forth in Section 2330.f.2 of this ordinance and subject to all the standards itemized below unless

approved as a temporary dwelling unit:

- A) If a perimeter foundation wall is not installed, all sides of the home shall extend to meet the ground, or continuous skirting that in design, color and texture appears to be an integral part of the exterior walls of the mobile home, and is constructed of approved materials in accordance with State Board of Manufactured Housing Rule R4-34-203 et. seq.
2. Installation permits may be issued only in accordance with those residential zones in which mobile homes are a permitted use, pursuant to floodplain regulations.
- d. As of the effective date of this ordinance, mobile home and manufactured home unit construction and safety standards adopted by the U.S. Department of Housing and Urban Development (HUD), pursuant to Section 7(D), Department of Housing and Urban Development Act, 42 U.S.C. 3535(D), Title VI, Housing and Community Development Act of 1974 (42 U.S.C. 5401) and amendments thereto, are hereby adopted as the mobile home and manufactured home unit construction and safety standards for Pinal County. One copy each of 42 U.S.C. 5401 is maintained in the Office of the Clerk of the Board of Supervisors, in each district office of the County Board of Supervisors and is hereby adopted by this reference.
- e. As of the effective date of this ordinance, the Pinal County Zoning Inspector shall not issue an installation permit for any mobile home or manufactured home within Pinal County unless said mobile home or manufactured home can be proven to comply with those standards set forth in Section 2330.d above. This regulations shall also apply to any mobile home or manufactured home installation permit sought to be issued for the relocation (i.e. from one location to another locations on the same property or different property) of any mobile home or manufactured home within Pinal County, except as provided in Section 2330.g.
- f. It shall be the responsibility of the permit applicants to demonstrate to the Zoning Inspector that the mobile home or manufactured home, for which an installation permit is requested, is in compliance with the standards set forth in 2330.d above. Proof of compliance shall include, but is not necessarily limited to:
  1. A decal certifying that the manufactured home has been inspected and constructed in accordance with the requirements of the U.S. Department of Housing and Urban Development (HUD) in effect at the date of manufacture wherein such date shall not have been prior to June 15, 1976; or
  2. A State of Arizona Insignia of Approval as defined by the A. R. S. § Section 34-1172, and its successor, including, but not necessarily limited to State Rule R4-34-106.
- g. Exceptions:
  1. The provisions of Section 2330.e., above, shall not apply to a recreational vehicle as defined in A.R.S. § 41-2142.
  2. The provisions of Section 2330.e., above, shall not apply to a mobile home as defined in Section 2330.c., above, provided the applicant for the installation permit is the owner of the mobile home and that the applicant furnishes proof of compliance with the following conditions and requirements:
    - A) The mobile home has been continuously occupied by the owner/applicant for a period of not less than one (1) year immediately preceding the application date;
    - B) The mobile home continuously, for a period of not less than one (1) year immediately preceding the installation permit application date, has been located on land not owned by the owner of the mobile home and the owner of the mobile home has paid rent for the mobile home space during that period of time;
    - C) The owner/applicant intends to continue to occupy the mobile home following issuance of the installation permit;
    - D) The owner/applicant shall state in a written affidavit that the above-stated conditions and requirements have been or will be complied with and that the owner/applicant shall continue to occupy the

- mobile home following issuance of the installation permit;
- E) The mobile home is to be moved to and installed upon a mobile home space not owned by the owner of the mobile home and the owner of the mobile home is to pay rent for the mobile home space pursuant to a rental agreement as defined in A.R.S. § 33-1409; and
  - 1) The Director of Planning and Development or the County Manager shall have authority to waive the foregoing requirement and allow installation of an owner occupied mobile home upon property belonging to the owner.
  - 2) The Board of Supervisors shall have the authority to review and amend any decision of the Director of Planning and Development or the County Manager.

## ARTICLE 24

**BOARD OF ADJUSTMENT AND APPEALS:** The Board of Adjustment as hereinafter established, may permit variances in the application of certain provisions of this Ordinance where practical difficulties or unnecessary hardship would result from a strict application of regulations.

**Sec. 2401 CREATION AND APPOINTMENT:** There is hereby created, as provided by law, a Board of Adjustment of Pinal County. The Board of Adjustment shall be composed of no less than three and no more than five members, each of whom shall be a resident and taxpayer of the unincorporated area of the County. At least one member of the Board of Adjustment shall be selected from each Supervisory District. The members of such Board shall be

appointed for terms of four (4) years each, except that the first members shall be appointed in the following manner:

At least one (1) member shall be appointed for a term of two (2) years;

At least one (1) member shall be appointed for a term of three (3) years;

One (1) member shall be appointed for a term of four (4) years.

The period for which they serve shall be determined by lot after appointment.

**Sec. 2402 PROCEDURE:** The Board of Adjustment shall meet regularly at least once a month and more often, if necessary, for the transaction of business. It shall elect its own officers, establish its own rules, keep a record of its actions and render a monthly report to the Supervisors and the Planning and Zoning Commission. Any finding, ruling or decision of said Board relating to the administration of the Zoning Ordinance shall be an order at either a regular or special meeting of said Board and shall be fully reported in the minutes of the Board.

**Sec. 2403 POWERS:** The jurisdiction of the Board of Adjustment shall be throughout the unincorporated portions of Pinal County. The authority of said Board, shall extend only to the interpretation of the Zoning Ordinance, and to the granting of variances.

The Board of Adjustment shall have the power to:

- a. Interpret the Zoning Ordinance when the meaning of any word, phrase, or section is in doubt, when there is dispute as to such meaning between the appellant and the enforcing officer, or when the location of a zone boundary is in doubt.
- b. **DELETED 4-19-00**
- c. Allow a reduction of building site area and yard requirements where, in its judgement, the shape of the building site, topography, the location of the existing buildings or other unusual circumstances attaching to the property make a strict compliance with said regulations impossible without practical difficulty or unnecessary hardship; but, in no case, except as hereinafter provided, shall these regulations be reduced in such manner as to violate the intention and purpose of this Ordinance.
- d. Allow the construction of commercial buildings with sidewalks, arcades or similar architectural features where such construction requires a variance of front yard regulations and is in conformity with a general architectural plan applicable to the entire frontage of a block or where such construction would permit the widening of the adjacent street or thoroughfare.
- e. Authorize a reduction of the off-street parking and loading requirements of Article 21, if it should find that in the particular case the peculiar nature of the building or premises, or the exceptional situation or condition, would mitigate the need for the parking spaces specified.
- f. Authorize variances from the strict application of the provisions of this Ordinance in cases in which the strict application of such provisions would result in the serious impairment of substantial property rights, provided the long-term interests of the community are given full consideration. The applicant at the hearing shall present a statement and adequate evidence in such form as the Board shall require satisfying, as a minimum, the requirements set forth in Sec. 2504.
- g. Authorize a change of non-conforming business use to a more restrictive use, following the procedure for a variance.

It is not intended by this Ordinance to interfere with or abrogate or annul any easement, covenant, or other agreement between private parties, but where the zoning provisions of this Ordinance are more restrictive than any existing private restrictive covenant affecting any portion of the unincorporated area of said County, said zoning provisions shall prevail over said private covenant (Sub-section 1-3, adopted 5-13-68).



## **ARTICLE 25**

### **PROCEDURES BEFORE THE BOARD OF ADJUSTMENT**

**Sec. 2501**     **APPLICATION:** Application for any permissible variance of regulations, as provided herein, shall be made by the owner or his representative to the Board of Adjustment in the form of a written application for a permit. Said application shall be made on forms provided by the Board of Adjustment, shall be filed with the Zoning Inspector or his deputy, and shall be accompanied by:

- a. Accurate plot plans and descriptions of the property involved and the proposed use with preliminary floor plans and elevations of all proposed buildings.
- b. Evidence satisfactory to the Board of Adjustment, of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six (6) months after issuance of permit.
- c. A list showing the names and addresses of all persons, firms or corporations appearing of public record as owning property within the area proposed to be affected and within 300 feet of any part of the property for which a variance is requested. The list must include the names of all persons purchasing land under recorded contracts of sale, and must be certified as to completeness by the applicant or some person otherwise qualified by knowledge of the public records. The Zoning Inspector shall satisfy himself of the completeness of the list before accepting it for filing.

**Sec. 2502 FILING FEE TO THE BOARD OF ADJUSTMENT:** A uniform, non-refundable fee, as set forth in Article 27, shall be paid to the County Planning and Development Services Department upon each application.

**Sec. 2503 PUBLIC HEARING:** Upon receipt, in proper form, of the application, the Board of Adjustment shall proceed to hold a public hearing upon the application not more than thirty (30) days nor less than fifteen (15) days after filing, at which all persons whose property is directly affected and the general public shall be given an opportunity to be heard. Notice of the application and hearing shall be given not less than seven (7) days prior to the hearing by publication of the notice at least once in a newspaper of general circulation in the area involved, and by depositing in the United States Mail, notices thereof addressed to the last known owners as shown on the list submitted by the applicant under the provisions of Section 2501-c of this Ordinance.

**Sec. 2504 EVIDENCE REQUIRED FOR VARIANCE:** At the public hearing on a variance application, the applicant shall present a statement and adequate evidence in such form as the Board of Adjustment may require for the purpose of showing:

- a. There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone.
- b. That the strict application of the regulations would work an unnecessary Non-Financial hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights.
- c. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- d. That the special circumstances or conditions referred to in a. above are not self-imposed.

**Sec. 2505 BOARD OF ADJUSTMENT ACTION:** In the event the Board of Adjustment finds that substantial conformity to standards previously established in the zone may be secured and that detriment or injury to the neighborhood will not result from the granting of a variance as applied for, it may approve or conditionally approve the issuance of said permit and transmit notice of its action to the Zoning Inspector. A report of its findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the Board of Supervisors.

**Sec. 2506 DISAPPROVED APPLICATION:** In the event the Board of Adjustment disapproves an application for a variance, no permit shall be issued pending further action thereon by an appeal to the Superior Court within 30 days from the date said disapproval is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Inspector shall issue the requested permit without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Section 2507 and 2508.

**Sec. 2507 CONDITIONAL APPROVAL:** In approving any variance, the Board of Adjustment may

designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of the regulation or provision to which such variance is granted, to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted, and shall provide the Zoning Inspector with a copy of the same.

**Sec. 2508**      **GUARANTEES:** Where necessary, the Board of Adjustment may require guarantees, in such form as it may deem proper under circumstances, to insure that the conditions designated in connection therewith are being or will be complied with. Where any condition under which a variance has been granted is violated, the variance shall cease to exist and the permit shall become null and void.

## **ARTICLE 26**

### **INTERPRETATION, PURPOSES AND CONFLICT**

**Sec. 2601:** Interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements adopted for the promotion of public safety, health, convenience, comfort, prosperity and general welfare. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way

to impair or interfere with any existing provisions of law or ordinance previously adopted pursuant to the laws relating to the use of building or premises, or relating to the erections, construction, establishment, alteration or enlargement of any building or improvements, except to the extent any existing provisions conflict with or are inconsistent with the valid provisions of this Ordinance, and to that extent and no more, the same are hereby repealed. It is not intended by this Ordinance to interfere with or abrogate or annul any easement, covenant or other agreement between private parties, but where the zoning provisions of this Ordinance are more restrictive than any existing private restrictive covenant affecting any portion of the unincorporated area of the County, said zoning provisions shall prevail over said private covenant.

## **ARTICLE 27**

### **ENFORCEMENT**

**Sec. 2701      ZONING INSPECTOR:** For the purpose of the enforcement of this Ordinance, there is

hereby created the position of County Zoning Inspector and such Deputy Inspectors as may be required, who shall be appointed by the Board of Supervisors and shall have the same status as any other employee of the county.

**Sec. 2702      RESPONSIBILITY FOR PERMITS:** It shall be the duty of the County Zoning Inspector and all departments, officials and public employees vested with the duty or authority to issue permits or licenses, to enforce the provisions of this Ordinance and issue no such license or permit for uses, buildings or purposes where the same would be in conflict with the provisions of this Ordinance and any such license or permit if issued in conflict with the provision of this Ordinance, shall be null and void.

**Sec. 2703      USE PERMITS REQUIRED:** From and after the effective date of this Ordinance, it shall be unlawful to erect, construct, reconstruct, alter or change the use of any building or structure within any portion of the unincorporated area of Pinal County covered by this Ordinance without first obtaining a Use Permit from the Zoning Inspector. If a Use Permit is not required, all other provisions of this Ordinance shall be observed.

**Sec. 2704      APPLICATION FOR PERMIT:** The applicant for a permit shall provide the Zoning Inspector with sufficient information regarding the proposed construction or use for the interpretation and enforcement of the provisions of this Ordinance and for the guidance and assistance of the County Engineer, the County Health Department, the Count Assessor and any other public agency in the discharge of their regularly prescribed duties. Required information shall include the legal description of the property upon which the improvement is to be made, the street address of said property, the nature of the use to which said improvement is to be put, the type of building to be erected, the dimensions of the building site and of the improvement, the distance said improvement is to be from all lot lines of the building site, and elevation of said improvement showing the height thereof, the location of water and sewer lines serving said improvement and if said improvement is not connected with a public sewer, then the location of the private disposal system which will serve said improvement, the location of existing uses and buildings, and such other information as the Zoning Inspector may require for the purpose of determining whether said permit may be issued under the terms of this Ordinance.

In all applications for permits which require consent by, or that notice be given to property owners of record, whose property abut or adjoin the property which is the subject of said permit, it shall be the duty of the applicant at the time the application is made for said permit to provide the Zoning Inspector with an accurate, verified list, made within the previous thirty (30) days, of all property owners of record, and their last known addresses, within the area of consent or notice for said use for which said permit is sought. The Zoning Inspector shall satisfy himself of the completeness of said list before accepting the same for filing.

**Sec. 2705      FEES:** For each permit to erect, construct, reconstruct, alter or change the use of any building or other structure within any portion of the unincorporated area of Pinal County covered by this Ordinance or for any application required by this Ordinance, a fee shall be charged based upon the following schedule:

- a.      Buildings:
  1.      Fees for change of use shall be \$25.00 for each permit.
  2.      Fees for manufactured/mobile home placed on individually owned lot, parcel or tract shall be \$25.00 for each permit.
  3.      All buildings, over 500 square feet and under 1,500 square feet of gross floor area, fee: \$30.00.
  4.      Additions to existing building, the same fee as for an initial permit.
  5.      Fees for alterations and reconstruction shall be computed according to the foregoing schedule, according to the number of square feet of gross floor area contained in the portion undergoing such alterations and reconstruction.
  6.      Fees for change of use shall be \$25.00 for each permit.
  7.      Fees for manufactured/mobile home placed on individually owned lot, parcel or tract shall be \$25.00 for each permit.
- b.      Structures and Improvements other than buildings:
  1.      Signs, fee per 10 square feet or fraction thereof, of the longest horizontal

- dimension in feet times the height: \$3.00.
2. Walls and fences, fee per 50 lineal feet or fraction thereof: \$4.00.
3. Pools, fee per 100 square feet or fraction thereof: \$6.00.
4. All other structures and improvements not shown above: for each structure costing less than \$1,000 including normal labor costs: fee \$15.00, and for each additional \$1,000.00 cost or fraction thereof, including normal labor cost, for each structure, an additional \$5.00. The fee for any one such construction program shall not exceed \$2,500.00.
5. Notwithstanding any other provisions of this Ordinance, no building permit shall be required under Article 27 for electric, telephone, water, or natural gas facilities which comprise part of the operating distribution system (as opposed to offices, warehouse or similar buildings) other than generating facilities or high voltage transmission lines and related substations, switchyards and appurtenances or high pressure natural gas lines. In the case of construction of such facilities, all of the facilities in a single job or project shall be subject to one construction permit under Article 27. The fee for any one such construction program shall not exceed \$2,500.00.
- c. The permit fees established above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign or building or structure is begun prior to the issuance of a permit.
- d. Applications and Plan reviews:
  1. Board of Adjustment and Appeals
    - A. Initial variance application within a rural or residential district, a fee of \$100.00. A fee of \$50.00 shall be charged for each additional variance requested on initial application.
    - B. Initial variance application within a commercial, industrial or transitional district, a fee of \$200.00. A fee of \$100.00 shall be charged for each additional variance requested on initial application.
    - C. Appeals to the Board of Adjustment, a fee of \$100.00.
  2. Special Use Permit applications, a fee of \$100.00 per application.
  3. Special Density Permit applications, a fee of \$100.00 per application.
  4. Industrial Use Permit application, when not applied for in conjunction with a change in zone classification to CI-2, a fee of \$100.00 per application.
  5. Manufactured/Mobile Home Park and Recreational Vehicle Park plan review and construction permits:
    - A. A fee of \$25.00 shall be charged for each plan review.
    - B. An additional \$8.00 per space shall be charged for a construction permit at the time of approval of park plans. This fee shall be required prior to start of construction.
  6. Area or neighborhood plans, a fee of \$750.00 per application.
  7. Amending an adopted area or neighborhood plan, a fee of \$400.00 per application.
  8. Change in Zoning classification applications:
    - A. Requests for SR, SH, GR, CAR, CR-1A, CR-1, CR-2, or CR-3 zoning: For five (5) acres or less a fee of \$150.00. For more than five (5) acres, \$300.00 plus \$15.00 for each acre over five (5), maximum fee not to exceed \$4,000.00.
    - B. Requests for CR-4, CR-5, TR, MH, RV, MHP or RVP zoning: For five (5) acres or less a fee of \$200.00. For more than five (5) acres, \$600.00 plus \$15.00 for each acre over five (5), maximum not to exceed \$5,000.00.
    - C. Requests for CB-1, CB-2, CI-B, CI-1 or CI-2 zoning: For five (5) acres or less a fee of \$400.00. For more than five (5) acres, \$800.00 plus \$15.00 for each acre over five (5), maximum fee not to exceed \$7,000.00.
    - D. The fee for an application for rezoning to more than one zoning classification shall be the total of the separate fees for each zoning classification.
  9. Temporary Use Permit applications, a fee of \$50.00 per application.

- Sec. 2706**      **TIME LIMIT:** The use of the permit shall be valid for a period of nine (9) months from the date of its issuance and shall otherwise expire if unused. Any appeal from the granting of the permit shall suspend the running of the time limit herein during the period of appeal.
- Sec. 2707**      **POSTING PLACARD:** With each permit issued, the Building Safety Department shall provide the permittee with a placard to be erected in a prominent position on the premises where the permit is to be used, which placard shall be of a distinctive color, easily identifiable and which shall state the date issued and the work authorized by said permit. Such placard must be displayed during construction, repair or alteration.
- Sec. 2708**      **NOTICE TO ASSESSOR:** Sufficient copies of the permit containing the necessary information as outlined herein shall be made so that one copy may and shall be transmitted immediately by the Zoning Inspector to the County Assessor.
- Sec. 2709**      **VALIDITY OF PERMIT:** The issuance or granting of a building or use permit or approval of plans or specifications under the authority of this Ordinance shall not be deemed or construed to be a permit for, or an approval of any violation of any of the provisions of this Ordinance or the amendments thereto, or of any other ordinance or law. No permit presuming to give authority to violate or cancel any of the provisions of this Ordinance or any existing law shall be issued, and if issued, shall not be valid, except insofar as the work or use which it authorizes is lawful and permitted.
- Sec. 2710**      **CERTIFICATES OF OCCUPANCY:** Upon application by the owner of any property which does not conform to all the provisions of this Ordinance at the time this Ordinance becomes effective, or which is exempted from zoning regulations by statute as specified in Section 303, or which is located in any portion of a GR zone where a use permit is not required, the Building Safety Department shall inspect said premises and thereupon issue a certificate of occupancy establishing the character of use of said property and its conformity or non-conformity with the terms of this Ordinance.
- Sec. 2711**      **ENFORCEMENT BY COUNTY OFFICIALS:** It shall be the duty of the Sheriff of Pinal County and of all officers of said county otherwise charged with the enforcement of the law to enforce this Ordinance and all of the provisions of the same.
- Sec. 2712**      **PUBLIC NUISANCE:** Any building, structure or improvement erected, built, moved or maintained or any use of property contrary to the provisions of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance.
- Sec. 2713**      **CRIMINAL PENALTIES:** Any person, firm or corporation, whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of this Ordinance or violates or fails to comply with any order or regulation made hereunder is guilty of a Class 2 misdemeanor pursuant to A.R.S. § 11-808. Each and every day during which the illegal activity, use of violation continues is a separate offense.
- Sec. 2714**      **CIVIL PENALTIES:** Any person, firm or corporation, whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of this Ordinance shall be subject to a civil penalty. Each day of a continuing violation is a separate violation for the purpose of imposing a separate penalty. The civil penalty for violations of this Ordinance shall be established by separate resolution of the Board of Supervisors, but shall not exceed \$700.00 for an individual, or \$10,000.00 for an enterprise. Enterprise shall be defined pursuant to A.R.S. § 13-105. An alleged violator shall be entitled to an administrative hearing on his liability, and a review by the Board of Supervisors as provided in A.R.S. § 11-808. Pursuant to that statutory section, the Board of Supervisors shall adopt written rules of procedure for such hearings and reviews.
- Sec. 2715**      **REMEDIES:** An alleged violator who is served with notice of violation subject to a civil penalty shall not be subject to a criminal prosecution for the same factual situation. However, all other remedies provided for herein shall be cumulative and not exclusive. The

conviction and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions or to remove prohibited buildings, structures, or improvements nor prevent the enforcement, correction or removal thereof. In addition to the other remedies provided in this Article, the Board of Supervisors, the County Attorney, the Inspector, or any adjacent or neighboring property owner who shall be especially damaged by the violation of any provision of this Ordinance, may institute, in addition to the other remedies provided by law, injunction, mandamus, abatement or any other appropriate action, proceeding or proceedings to prevent or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.



**ZONING ORDINANCE AMENDMENTS AND ZONE CHANGES**

**Sec. 2801**      **AUTHORITY:** The Board of Supervisors may from time to time after receiving a report thereupon by the County Planning and Zoning Commission and after public hearings required by law, amend, supplement or change the regulations or zones set forth herein or subsequently established. Any amendment, supplement or change may be initiated by the Commission or by petition of affected persons.

**Sec. 2802**      **INITIATION OF ZONING ORDINANCE AMENDMENT - BY COMMISSION:**

- a.      Purpose: The purposes of the procedures established by Section 2802-b are:
  - 1.      To eliminate the requirement of consent signatures for initiation of ordinance amendments when the proposed amendments conform to the adopted Master Plan of Pinal County and adopted area and neighborhood plans, or are found by the Commission to be proper amendments after consideration of preliminary staff reports.
  - 2.      To provide for appropriate and timely ordinance amendments and district zone changes with due consideration of the adopted Master Plan of Pinal County for the orderly growth and development of the County, as provided in the County Planning and Zoning Act of 1949.
- b.      Procedure: The Commission shall initiate zoning ordinance amendments in accordance with the following procedures:
  - 1.      Any person proposing that the Commission initiate an ordinance amendment shall file with the Commission an application for such amendment on the form adopted by the Commission.
  - 2.      Upon receipt of such application, the Commission staff shall make a preliminary study and findings, and report them to the Commission which report shall include the extent and boundaries of the zoning district recommended by the staff.
  - 3.      If, after consideration of the preliminary staff report, the Commission determines to initiate the proposed amendment, the Commission shall delimit a zoning district and set the matter for public hearing, duly noticed, as hereinafter provided.
  - 4.      If, however, after consideration of the preliminary staff report, the Commission determines that it will not initiate the proposed amendment, the Commission need proceed no further, however, the Commission shall, upon making such adverse determination, notify and afford the applicant a preliminary hearing, if the applicant within 30 days request such hearing. At such preliminary hearing, the applicant may show cause why the Commission should initiate the proposed amendment. The preliminary staff report and all the Commission's subsequent actions thereon shall be filed with the Clerk of the Board of Supervisors within ten (10) days after each determination of the Commission.

**Sec. 2803**      **INITIATION OF ZONING ORDINANCE AMENDMENT - BY PETITION AND CONSENT:**

Any person may initiate a zoning ordinance amendment changing the zoning district boundaries within an area previously zoned by filing with the Clerk of the Board of Supervisors the proposed amendment, a petition in favor of such change, and also the written consent of at least 51% of the owners, by number and by area, of all other properties any part of which is within 300 feet of the proposed change. If the petition is for a change of classification, there shall not be counted, either in numbers or area, the owners of land of the same or less restrictive zoning classification as sought by the petitioners. Unless the proposed change is an extension of an existing zoning district, the extent and boundaries of the area proposed to be changed shall be such as to constitute a zoning district. In the event that the area of the proposed change does not constitute a zoning district, the Commission may delimit a zoning district including the petitioned area before the amendment is set for public hearing. No petition shall be received for amendment reclassifying property if a petition which included the property has been denied by the Supervisors within the previous six (6) months.

**Sec. 2804**      **FILING FEE AND COST:** A uniform, non-refundable fee, as set forth in Article 27, shall be paid to the County Planning and Development Services Department upon each application,

by the applicant when the Commission initiates the Amendment, or by the Petitioner when Amendment is initiated by petition and consent. This fee shall be charged to partially cover the costs of sending notices, making maps, and other expenses involved.

**Sec. 2805      REQUIRED LISTS OF PROPERTY OWNERS:** Every applicant proposing that the Commission initiate a zoning ordinance amendment and every petitioner initiating a zoning ordinance amendment shall accompany his application or petition with an accurate, verified list, made within the previous 30 days, giving the names and addresses of the owners of all properties lying within the area of the proposed change and of all properties any part of which is within 300 feet of the proposed change. Should the Commission enlarge the area of the proposed change, the applicant or petitioner shall be required to furnish a supplemental list showing the required information within the modified proposed area of change and within 300 feet of the modified proposed area of change. These lists shall be furnished by the applicant or petitioner at his own expense and may be rejected for insufficiency by the Commission.

**Sec. 2806      COMMISSION ACTION:** Upon initiation of any proposed ordinance amendment, the Commission shall hold at least one public hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in Pinal County. If the amendment includes a district zone change, additional notice shall be given by posting the area included in the proposed change, and by notifying all property owners within the zoning district and all property owners within 300 feet of the zoning change. The Commission may hold additional public hearings and give additional notice as they deem reasonable under the circumstances.  
Neither the failure to give written notice by mail to any owner or occupant of any property who may be affected by an amendment, nor the failure to comply with any additional notice requirement imposed by the Commission shall invalidate an amendment, provided such failure was unintentional. The intent of this section is to provide notice so far as possible, to persons substantially interested in the proposed amendment.

**Sec. 2807      SUPERVISORS' ACTION:** Upon receipt of the Commission's recommendation, the Supervisors shall hold a public hearing on the proposed amendment after giving at least fifteen (15) days notice. The notice shall be given by publication once in a newspaper of general circulation in Pinal County, and if the amendment includes a district zone change, by posting the area included in the proposed change. Upon completion of the public hearing, the Supervisors may act upon the proposed amendment, however, if 20% of the owners of property by area and number within the zoning area file a protest to such proposed change, the change shall not be made except by the unanimous vote of the Board of Supervisors.

**SALE OF COPIES:**

**Sec. 2901** Copies of the Ordinance may be sold by the Zoning Inspector and all monies received therefrom shall be paid to the County Treasurer as provided by law.

**ARTICLE 30**

**REPEAL OF INCONSISTENT PROVISIONS:**

**Sec. 3001** All ordinances and portions of ordinances of Pinal County in conflict herewith are hereby expressly repealed.

**ARTICLE 31**

**SEVERABILITY:**

**Sec. 3101** This Ordinance and the various parts thereof are hereby declared to be severable. If any section, subsection, sentence, clause, word or phrase of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

**ARTICLE 32**

**COMPREHENSIVE PLAN AND COMPREHENSIVE PLAN AMENDMENTS:**

**Sec. 3201 PURPOSE:** The purpose of this Article is to establish the process for preparation and adoption of a Comprehensive Plan for Pinal County. The Comprehensive Plan and subsequent Plan amendments will ensure the establishment of a land use policy for future development of the County and will further be detailed through area, community, village, neighborhood and special area plans.

The Comprehensive Plan establishes, and the other plans make specific, the goals of Pinal County regarding future development of the County, reflecting public consensus on land use issues. The plans are to serve as official guides for the Planning and Zoning Commission, Board of Supervisors, and all county officials and agencies for accomplishing coordinated physical development consistent with current and anticipated needs of the County. Such plans constitute official notice to the public of county development recommendations and requirements for specific areas.

**Sec. 3202 AUTHORITY:** Pursuant to A.R.S. § 11-806, the Planning and Zoning Commission may direct the preparation of a Comprehensive Plan so as to conserve the natural resources of the County, ensure efficient expenditure of public funds and promote the health, safety, convenience and general welfare of the public. The Planning and Zoning Commission shall act in an advisory capacity to the Board of Supervisors in reviewing and making recommendations relating to the Comprehensive Plan.

**Sec. 3203 DEFINITIONS:** Certain terms used in this chapter shall be defined, for purposes of this chapter only, as follows:

1. "Comprehensive Plan" means a plan prepared and adopted pursuant to A.R.S. § 11-806, the purpose being to bring about the coordinated physical development in accordance with the present and future needs of the County.
2. "Area Plan; Community Plan; Village Plan; Neighborhood Plan; Special Area Plan" means a plan prepared for a portion or portions of the County that provides a more detailed analysis of the Comprehensive Plan.
3. "Plan Policy" means a written statement in a plan which provides:
  - a. procedural recommendations, or
  - b. development recommendations, which may be imposed as special conditions of rezoning.
4. "Annual Plan Program" means a work program prepared by the Planning and Development Services Department, which identifies and prioritizes the long range planning activities on an annual basis. The Annual Plan Program will be reviewed by the Planning and Zoning Commission and approved by the Board of Supervisors.

**Sec. 3204 PLAN TYPES:**

- A. Comprehensive Plan. An adopted plan covering incorporated and unincorporated Pinal County, which shall be prepared by the County in conjunction with municipalities within the planning area:
  1. The plan shall further the purpose defined in Section 3201 by:
    - a. Establishing the relationship of the various plans to geographic planning sectors and the entire planning area;
    - b. Establishing land use elements which guide planning and coordinate the timing and implementation of capital improvement activities, such as transportation, flood control, water delivery or wastewater management and solid waste disposal facilities; and
    - c. Determining the relative suitability of individual geographic sectors for various land use types and development intensities.
  2. The Comprehensive Plan is defined in greater detail by adoption of specific area, community, village, neighborhood and special area plans which apply the intent of the Comprehensive Plan to small geographic sectors and planning areas. The preparation and update of the Comprehensive Plan is the responsibility of the County.
  3. Plan elements: This plan shall include, at a minimum:
    - a. The general character and location of major transportation

- corridors, major infrastructure such as bridges, and transit systems.
  - b. Recognition of the need to provide community facilities, such as schools, libraries, water delivery and sewage systems, solid waste disposal facilities, police and fire facilities and airports;
  - c. A land use classification system, including general land use types and development intensities;
  - d. Identification of recreational opportunities, such as hiking and riding trails, developed or undeveloped parks, and open space systems;
  - e. The general location and recognition of need for wildlife and natural resource conservation areas such as forest and desert lands;
  - f. Identification of areas of natural constraints, such as hillsides and floodplains;
  - g. Identification of known archaeological and historic resources, and community character and aesthetic issues.
- B. Area Plan. An adopted plan covering a relatively large area which has been identified as an appropriate planning area because of special geological conditions or development trends.
  - 1. Area plan shall further the intent of the Comprehensive Plan and shall provide more specific land use recommendations and policies;
  - 2. Plan elements: Area Plans shall include, at a minimum:
    - a. Existing and planned residential density ranges in terms of residences per acre (RAC);
    - b. Location of existing and planned commercial and industrial uses, including designation, where appropriate, of enterprise type;
    - c. Existing and proposed overlay zones and special use districts;
    - d. General character and location of major streets and routes;
    - e. Natural or artificial drainageways;
    - f. General location of community facilities, such as schools and parks;
    - g. Policies relating to development requirements or constraints in a subarea or on an individual land parcel;
    - h. Development or design policies which may be more restrictive than the County Zoning Ordinance. Examples include policies on the provision of public services and additional height or setback restrictions;
    - i. Designations of additional elements, such as restricted peaks and ridges, and trail access points.
- C. Community Plan. An adopted plan primarily for the development of a new community or activity center under one main developer or landowner;
  - 1. Community plans provide for more precise site planning than is generally possible on the scale of an area plan, and shall be consistent with the intent of larger plan(s);
  - 2. Plan elements: Community plans shall include at a minimum all elements required for area plans. Additional elements may be required by the Planning and Development staff.
- D. Village Plan. An adopted plan covering a group of neighborhoods that comprises a portion of a community plan.
  - 1. Village plans provide for more precise site planning than is generally possible on the scale of a community plan, and shall be consistent with the intent of larger plan(s);
  - 2. Plan elements: Village plans shall include a minimum of all elements required for community plans. Additional elements may be required by the Planning and Development staff.
- E. Neighborhood Plan. An adopted plan covering a relatively small geographic area composed of one or two delineated neighborhoods;
  - 1. Neighborhood plans are intended to address special land use issues in a neighborhood context, while conforming to the broader recommendations of the Comprehensive Plan and area plans, where applicable;

2. Plan elements: In addition to the elements described for area plans (subsection B of this section), neighborhood plans shall include, at a minimum:
  - a. More precise land use recommendations (e.g., parking areas, dwelling types);
  - b. Location and function of local streets and other circulation elements;
  - c. Special design considerations, such as sign restrictions, landscaping and lighting impact mitigation, when appropriate;
  - d. Other public facilities such as parks, schools and similar facilities.
- F. Special Area Plan. An adopted plan for a designated area which requires a detailed analysis and review of proposed, future or existing land uses, and would not be appropriate for an area, community, village or neighborhood plan.

**Sec. 3205**

**PLAN DOCUMENTS AND POLICIES:**

- A. Documents. Land use plans adopted after the effective date of the ordinance codified in this chapter shall, at a minimum, consist of a map, defining the extent of area involved, recommendations and policies of the plan and narrative text of the plan's goals and policies.
- B. Plan Policies.
  1. Plans shall include written development, design or procedural policies which may be more restrictive than the County Zoning Ordinance for the entire planning area, subareas within the planning area, or individual land parcels;
  2. Adopted or pending policies may recommend that further public hearings be held concerning land within the planning area conditionally rezoned for uses that are in conflict with plan policies or land use recommendations.
  3. Adopted plan policies shall apply to properties being rezoned.

**Sec. 3206**

**ANNUAL PLAN PROGRAM AND PLAN INITIATION:**

- A. Annual Plan Program.
  1. Procedure:
    - a. The Planning and Zoning Commission shall direct the Department of Planning and Development Services to prepare an annual plan program, consisting of a schedule of plans to be developed or reviewed in the next fiscal year, to be submitted for consideration by the Board of Supervisors.
    - b. The program shall be submitted to the Commission at a public hearing for its recommendation to the Board of Supervisors, which shall adopt the program as is, or refer it back to the Commission with recommended amendments.
    - c. Amendments to the program during the fiscal year requested by the Department or the Commission shall require the same approval process. The Board of Supervisors may amend the program at any time.
- B. Plan Initiation.
  1. The Planning and Zoning Commission is responsible for the initiation of plan development or review processes, and may hear requests from private individuals for area, community, village, neighborhood or special area plans who have submitted evidence that public benefit would result from such plan, based on departmental plan evaluation criteria. The preparation and update of the Comprehensive Plan is the sole responsibility of the County.
  2. The Planning and Development Services Department is responsible for the development of, or coordination of development for, new plans or review of existing plans, as required by the annual plan program.

**Sec. 3207**

**PLANNING AND REVIEW PROCEDURES:**

- A. Planning Inventory.
  1. The initial phase of plan development or review shall be a survey and study of present and anticipated conditions in the planning area, which

- shall be a major factor in determining preferred intensities of development, locations of specific land uses, and other elements, as may be required in Section 3204;
- 2. Items to be included in the inventory are determined by the Department as set out in A.R.S. § 11-806. These items will be enumerated by Planning and Development staff in a set of plan preparation guidelines.
- B. Public Review.
  - 1. Public comment shall be actively sought by the Department during the planning process;
  - 2. The Department shall, at a minimum:
    - a. Hold one public meeting, preferably within the planning area, to discuss the results of the planning inventory and solicit land use recommendations; and
    - b. Hold one public meeting, preferably within the planning area, to discuss the proposed land use plan and receive public comment at least two weeks prior to the work session to be held by the Planning and Zoning Commission; and
    - c. Make available to the public a final draft of the plan, including all proposed land uses and policies, at least fifteen days prior to the public hearing by the Planning and Zoning Commission.
- C. Planning and Zoning Commission Review.
  - 1. Commission Work Session:
    - a. A work session may be held by the Commission to determine the merits of the draft plan;
    - b. The Commission may remand to staff for a public hearing, remand to staff for further revision, or continue the work session for a definite time period not to exceed three months.
  - 2. Formal Commission Review:
    - a. Before making a recommendation on the plan, the Commission shall hold a public hearing after giving at least fifteen (15) days notice thereof by one publication in a newspaper of general circulation in the county seat. The notice shall be published in a newspaper of general circulation in the area to be affected or adjacent thereto, if the area is not the county seat; (A.R.S. § 11-806(B)) (A.R.S. § 11-822)
    - b. The recommendation of the plan shall be by resolution and require the affirmative vote of a majority of the members present.
- D. Board of Supervisors Review:
  - a. After review and recommendation of the plan by the Commission, the plan shall be submitted to the Supervisors for their consideration and official action. The supervisors shall hold at least one public hearing at which residents of the area shall be heard concerning matters contained in the plan. At least fifteen (15) days notice of the hearing shall be given by the publication in a newspaper of general circulation in the county seat. (A.R.S. § 11-806(C)) (A.R.S. § 11-823)
  - b. The Board shall consider protests and objections to the plan and may change or alter any portion. However, before any change is made, that portion of the plan proposed to be changed shall be re-referred to the Commission for their recommendation, which may be accepted or rejected by the Supervisors.
- E. Plan Amendment. A plan may be amended or extended by the same procedure as are herein established for its adoption.

**Sec. 3208 EFFECT OF ADOPTED PLANS UPON ZONING CHANGES AND SUBDIVISION PLAT APPROVALS (A.R.S. § 11-802 and 11-829A)**

- a. In amending zoning classifications, changing zoning district boundaries, creating a PAD District or approving subdivision plats for properties included within a Community Plan, Village Plan, Neighborhood Plan or Special Area Plan (collectively "Adopted Plans"), the Planning Commission and Board of Supervisors may allow

minor variations from the Adopted Plans for zoning district boundaries, exact land use classification, or the exact character, extent and location of major thoroughfares, collector streets, drainage ways, schools, parks and other community facilities. In allowing minor variations, the Planning Commission and Board of Supervisors shall not alter the policy set by the Adopted Plans with regard to basic residential densities, general boundaries of the various land use districts, and the general character, extent and location of major thoroughfares, collector streets, drainage ways, schools, parks, and other community facilities.

- b. In amending zoning classifications, changing zoning district boundaries, or creating a PAD District (Collectively Rezoning") for all of the land included within a Comprehensive Plan or Area Plan, the Rezoning shall be deemed to conform with the Comprehensive Plan or Area Plan if the Rezoning proposes land uses, densities or intensities that are within the range of identified land uses, densities or intensities of the Comprehensive Plan. In amending zoning classifications, changing zoning district boundaries, or creating a PAD District (collectively "Rezoning") for a portion of the land included within a Comprehensive Plan or Area Plan, the Rezoning shall be deemed to conform with the Comprehensive Plan or Area Plan if the Rezoning proposes land uses, densities or intensities that are within the range of identified land uses, densities or intensities for that portion of the Comprehensive Plan or Area Plan included within the boundaries of the Rezoning request.
- c. The goals, policies, and applicable elements of the Comprehensive Plan or Area Plan may be considered by the Planning Commission and Board of Supervisors in determining if a Rezoning request (as defined in 3208B) furthers the implementation of the Comprehensive Plan or Area Plan.

**Sec. 3209****LEGAL STATUS**

- a. Sets the general policy of the County regarding future development of the area included in the plan. (A.R.S. § 11-802)
- b. Constitutes official guidelines for the Commission, Supervisors, and all county officials and agencies for guiding and accomplishing a coordinated, adjusted and harmonious development through zoning, subdivision design regulation, setback lines establishment, and other methods provided by law.
- c. Constitutes official notice to the general public and to all agencies of the general plans for the development.
- d. In the event that the Commission and Supervisors desire to alter the policy set by a plan, they may amend the plan by following the same procedures as set forth in Section 3207 for adoption. Zoning amendments which conform to adopted plan(s) shall not be considered "spot" zoning.



# ARTICLE 33

## PLANNED AREA DEVELOPMENT (PAD)

**Sec. 3301 DEFINITIONS:** The PAD District is an alternative to conventional land use regulations, substituting procedural protections for the requirements in Pinal County's Zoning Ordinance. The PAD District is an overlay district that shall be used only in conjunction with other zoning districts described in the Pinal County Zoning Ordinance, but which will allow flexibility in the requirements of the underlying zone and shall require approval by the Board of Supervisors of a specific plan of development.

- a. Open/common space: An area that is intended to provide light and air, and is designated and designed for resource protection, buffers, drainageways, environmental, scenic or recreation purposes. Open space may be devoted to but is not limited to landscaping, preservation of natural features, drainageways, recreational area and facilities. Open space shall not be deemed to include land areas occupied by buildings, structures, required yards, driveways, parking lots, streets, alleys or other surfaces designed or intended for vehicular travel. Open space areas shall remain open and unfenced.
  1. Private: The areas open to residents, resident's guest and invitees but not the public at large. Open/common space may also be referred to as private.
  2. Public: The areas open to the people at large, without reference to geographical limits; public roads being those roads that have been dedicated or otherwise permanently appropriated to the public for public use.

**Sec. 3302 PURPOSES & INTENTS:** Pinal County recognizes that in certain instances the objectives of the Zoning Ordinance may be best achieved by development of planned areas which may not conform in all respects to the underlying zoning district. Pinal County further has determined that in the best interest of the health, welfare and safety of the citizens of Pinal County, specific planned communities can provide better alternatives for some land development than the conventional zoning districts. The purpose of the PAD district is to encourage imaginative and innovative planning of neighborhoods, particularly with respect to diversification in the use of the land and flexibility in site design with respect to various features, including but not limited to, spacing, heights, density, open space, circulation, private roadways, preservation of natural features, and innovation in residential development that results in the availability of a variety of housing opportunities, both in terms of affordability and lifestyle to all citizens and guests of Pinal County; and to ensure the establishment of developments consistent with the goals and objectives of the Board of Supervisors of Pinal County.

**Sec. 3303 LOCATION:** A PAD may be established in any zoning district upon a finding by the Board of Supervisors, after receiving a recommendation from the Planning Commission, that such a development would comply with the intent of this Section of the Zoning Ordinance and that the PAD substantially complies with any previously approved area plans. A PAD may not be established on any parcel consisting of less than ten (10) gross acres, unless the Planning Commission and Board of Supervisors find that a tract containing less than ten (10) gross acres is suitable as a PAD by virtue of its unique character, topography or other features. If a proposed project requires rezoning, a request may be considered by the Planning Commission simultaneously with its consideration of the development plan.

**Sec. 3304 APPLICATION REQUIREMENTS:** Each application for approval of a PAD District shall be filed in accordance with the provisions of Article 27 of the Zoning Ordinance. In addition to the filing fee established in Article 27, an additional fee of \$1,000.00 shall be paid by the applicant for processing the PAD request. In addition to the submittal requirements set forth below, the application shall be accompanied by such information and representations required by this Ordinance or deemed necessary by the Planning Director, which together shall comprise the application "package". If tentative plat approval is being requested at this time for all or any portion of the specific plan of development, the application shall also meet all requirements for tentative plat approval as described in the "Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving," as amended. Because of the need for adequate staff review and public notice, the "package"

shall be filed, complete in all respects, not less than three weeks prior to the public hearing on the project by the Planning Commission. The Planning Director may set earlier deadlines for part or all of the "package" in order to facilitate scheduling public hearings or to allow additional staff review. In addition to the requirements for tentative plat approval, if applicable at this time, the "package" shall include at least the following:

- a. **SPECIFIC PLAN OF DEVELOPMENT:** The rezoning/PAD application(s) shall be accompanied by a Specific Plan of Development which shall consist of:
  1. The proposed development shall be drawn at sufficient scale so as to not exceed a print size greater than 24" x 36". Lettering shall be of sufficient size to be reasonably legible when reduced to an 8 ½" x 11" clear print.
  2. Title of the project, such as "Planned Area Development for \_\_\_\_\_" in bold faced letters.
  3. Name of the landowner, developer, applicant and the firm or person who prepared the plan.
  4. North arrow, scale (written and graphic), and dates of plan preparation and subsequent revision dates.
  5. Inset vicinity map showing the relationship of the proposed project to existing area development and surrounding zoning districts.
  6. Existing zoning designation and requested zoning district change, if applicable.
  7. Legal description of the entire property to be subject to the Planned Area Development.
  8. Delineate and dimension by bearing and distance the exact boundaries of the proposed Specific Plan of Development.
  9. Show existing perimeter streets, including center lines, names, dimensions of existing dedications and proposed dedications.
  10. Show the general locations and scheme of proposed interior collector and major arterial streets with proposed rights-of-way. All points of ingress and egress to the site must be shown.
  11. Indicate the general location of the proposed residential area(s) and types of housing proposed for each area(s). Show and label areas of open space, public areas, drainage areas and any proposed facilities such as golf courses, parks, recreation center, sewage treatment plant, school site, etc.
  12. Indicate who will own, control and maintain landscaping, open areas, streets, recreation facilities, refuse disposal and private utility systems.
  13. Show typical lots for each dwelling unit, including typical lots in cul-de-sacs, on corners and in any unusual location. Show the arrangement of units which will be clustered. These typicals should show the building envelope, the proposed minimum setbacks, the minimum lot dimensions and individual fences/walls.
  14. Indicate the location and width of all existing roadway or utility easements on the property.
  15. Show existing contours; contour interval to vary according to grades as follows: grades up to 5%, 2'; 5% to 10%, 5'; grades over 10%, 10'. Indicate the general direction of storm water runoff.
  16. Identify by note or notes the existing drainage pattern and the proposed drainage plans for handling onsite and offsite storm water runoff. (A preliminary drainage report will be required.)
  17. Indicate the locations, type, height and material of proposed perimeter fences and/or walls. All proposed signs should also be located, identified and dimensioned.
  18. Note the general location and type of proposed landscaping on the site.
  19. Show phase lines, if applicable.
- b. **SPECIFIC PLAN OF DEVELOPMENT DATA:**
  1. Land Use Table or Tables to include the following:
    - A. Total gross acreage of the site.
    - B. Total area of the streets, public and private.
    - C. Total area of public open space.
    - D. Total net area of all intended uses.
    - E. Total area of open space which is designed for the exclusive use of the residents of the PAD area who receive an undivided

- ownership of such areas.
- F. Maximum allowable number of dwelling units permitted under base Zoning Districting.
- G. Total number of each type of dwelling unit and the total number of all dwelling units.
- H. Average lot area per dwelling unit proposed, taking into account all planned dwelling units.
- I. The overall density proposed.
2. A table which compares the requirements of the existing zoning, the requirements of the base zoning requested, and the variations proposed under the PAD. The table should include lot area per dwelling unit, setbacks, maximum lot width, maximum building height and parking regulations.
3. A table which lists the type and source of proposed utilities and services which include sewer, water, electric, telephone, police, fire, schools and solid waste disposal.
4. A table which compares existing Pinal County subdivision regulation roadway standards with all proposed rights-of-way and pavement widths for each type of private street proposed (arterials, collectors, residential collectors and residential) for the planned area and the perimeter. (Refer to the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended.)
- c. NARRATIVE REPORT: The following information should be included in a supporting narrative report:
  1. Title Page: The title page should clearly indicate "Planned Area Development for \_\_\_\_\_", the name of the applicant and the date.
  2. Purpose of Request: The first section of the report should explain why the project has been proposed. It is often helpful to discuss why the site has been chosen. The applicant shall state the advantages and benefits of the proposed development to the County in detail.
  3. Description of Proposals: The character and type of development shall be thoroughly explained. All of the proposed non-residential buildings and structures and their intended uses should be described.
  4. Relationship to Surrounding Properties: Surrounding land use and zoning should be described. The impact of the proposal on surrounding properties in each direction should be discussed. The impacts on schools should be explained.
  5. Location & Accessibility: The advantages of the proposed location should be explained. The means of access, distance from major streets and surrounding road conditions should be described. Any proposed interior streets, drives or parking areas and proposed improvements should also be described.
  6. Timing of Development: A section of the report should contain a schedule of development phasing.
  7. Public Utilities and Services: The availability and adequacy of proposed utilities and services must be thoroughly discussed.
  8. Appendix: It is sometimes necessary depending upon the nature of the request, to attach copies of correspondence with other federal, state, local, semi-private or private agencies or organizations which can substantiate the proposal.
  9. Maintenance of Streets and Common Areas: The provisions for the maintenance of the private streets, common areas and public area landscaping should be thoroughly discussed. The applicant should approach this portion of the narrative from the position of trying to prove to the Planning Commission and the Board of Supervisors that the mechanisms he intends to set up will still be functioning effectively twenty years later.
- d. COVENANTS: Draft copies of proposed restrictive covenants that would pertain to each use of the Planned Area Development shall be filed with the Pinal Planning and Development Services Department for review by the County Attorney at least three weeks prior to the public hearing by the Planning Commission. Copies of the

proposed restrictive covenants in their final form shall be filed at least three weeks prior to the public hearing on the project by the Board of Supervisors.

- e. **ADDITIONAL MATERIAL:** Additional material shall be provided for specific types of uses as follows:
  1. For PAD Districts or sections thereof in which Commercial Development is proposed, the Specific Plan of Development shall contain at least the following information:
    - A. The approximate retail sales floor area and total area proposed for commercial development.
    - B. The types of uses proposed to be included in the development, such uses to be consistent with the comparable zoning district.
    - C. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs and nuisance controls intended for the development.
  2. For PAD Districts or sections thereof in which Industrial Development is proposed, the Specific Plan of Development shall contain at least the following information:
    - A. The approximate total area proposed for such use.
    - B. The types of uses to be included in the development. (Generally those industrial, office, laboratory and manufacturing uses shall be allowed which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, odor, heat, or glare and which by reason of value in relation to size and weight of merchandise received and shipped, generate a minimum of truck traffic.)
    - C. The anticipated employment in the entire development and in each major section thereof. This may be stated as a range.
    - D. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs, and nuisance controls intended for the development.
- f. **WAIVER OF SPECIFIC SUBMISSIONS:** Any information required under Section 3304 may be waived by the Planning Director on the basis that the information is not necessary to a review of the proposed PAD. Such waiver shall be in writing, shall specify the reasons for such waiver and shall be included in the materials submitted to the Planning Commission.

**Sec. 3305 PUBLIC HEARINGS:** After proper application has been made for a PAD, the Planning Commission and Board of Supervisors shall hold public hearings as provided in Article 28 of this Zoning Ordinance.

- a. The Planning Commission and Board of Supervisors may approve the plan as submitted, may require the applicant to modify, alter, adjust or amend the plan in such manner and to such extent as it may deem appropriate to the public interest, or disapprove the plan. The Board of Supervisors may stipulate a time for review of any approved PAD to assure timely development. Such review shall be made by the Planning Director and any significant facts affecting the development shall be referred to the Planning Commission for review.
- b. The Planning Commission and Board of Supervisors may approve a plan even though the use of buildings and land, the location and height of buildings to be erected in the area, the nature of ownership, and the yards and open spaces contemplated by the plan do not conform in all respects to the regulations of the zoning district in which it is located or the plan does not conform in other particulars.
- c. Approval of a PAD District application shall constitute approval of the tentative plat if the tentative plat is submitted at the time of the PAD district application and when the plat has been submitted in accordance with Section 3304 above and the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended. Approval of the tentative plat shall be effective for one year in accordance with the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended, but may be extended upon reapplication and review by the Commission.

The Board of Supervisors may stipulate or require a time limit which shall apply to the PAD district approval.

**Sec. 3306 FINDINGS REQUIRED:** Before approval of an application for a PAD District, the Planning Commission and the Board of Supervisors shall find that the development conforms to the following general criteria:

- a. That the location, design and size are such that the development can be well integrated with the surroundings; is planned and developed with the intention to harmonize with any existing or proposed development in the adjacent neighborhood; or in the case of a departure of character from surrounding uses, that the location and design will adequately reduce the impact of the development so that the project will not be detrimental to the adjacent property.
- b. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby and that proper provision for the maintenance of such streets has been provided. If the Planning Commission and Board of Supervisors deems in their judgement that private streets are appropriate for a development, construction of streets shall be as determined by the Board of Supervisors, provided, however, that the Board of Supervisors shall require the paved portion of the streets to be in accordance with the Pinal County Subdivision Regulations as to base material, asphalt and seal coat.
- c. That the value of the use of the property adjacent to the area included in the plan will not be adversely affected to a significant extent and to this end, the Planning Commission may require, in the absence of an appropriate physical barrier, the uses of least intensity be arranged along the boundaries of the project. As further protection to adjacent properties, the Planning Commission may impose either or both of the following requirements:
  1. Structures located on the perimeter of the planned development be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses.
  2. Structures located on the perimeter of the planned development be permanently screened in a manner sufficient to protect the privacy and amenity of the adjacent existing uses.
- d. That every structure containing residential, commercial or industrial units shall have access to a public street directly or via a court, walkway, private street or other common area owned and maintained as common ground.
- e. Height of all structures shall be appropriate for the use and location of the development. Any buildings exceeding in height the limit normally permitted in the district shall be so located on the parcel so as to obviate the casting of unbroken shadows on adjoining parcels.
- f. That suitable retention and drainage areas have been provided to protect the property and adjoining properties from hazards resulting from water falling on or flowing across the site, and that proper provision for maintenance of such retention and drainage areas has been provided.
- g. That the location, design, size and uses are such that traffic generated by the development can be accommodated safely.
- h. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or planned public facilities and services.
- i. That adequate and visible refuse disposal has been provided or exists for the development.

**Sec. 3307 BUILDING PERMITS:**

- a. For the purpose of implementing a Planned Area Development, building permits may be issued for buildings and structures in the area covered by the approved Specific Plan of Development if they are in conformity with the plan and with all other applicable ordinances and regulations not specifically modified by the Board of Supervisors' approval of the plan.

- b. Once a plan has been approved, it can be amended, changed or modified only through the procedure prescribed herein for the initial application for approval. The Board of Adjustment may not grant any variances for an approved PAD.
- c. A development schedule for residential uses shall be submitted as part of the project plan and the construction and provision of all the common open spaces and public and recreational facilities which are shown on the Specific Plan of Development must proceed at the same rate as the construction of dwelling units. If the Planning and Development Services Director should find that the rate of Subdivision Plat submittals is greater than the rate at which common open areas and public and recreational facilities are being constructed or provided, he shall notify the developer that no Subdivision Plat applications will be processed until the rate of construction conforms with the development schedule.
- d. The development schedule shall provide for stage construction of the specific Plan of Development. Building permits will not be issued for any stage of the plan unless the common open space allocated to that stage by the development schedule has been conveyed to the appropriate parties.

**Sec. 3308 REGULATION OF PLANNED AREA DEVELOPMENTS DURING DEVELOPMENT AND AFTER COMPLETION:** During development and after completion of the project, the use of the land and the construction, modification or alteration of any buildings or structures within the development will be governed by the approved Specific Plan of Development rather than by any other provisions of the Zoning Code.

- a. Any minor extensions, alterations or modifications of existing buildings, structures or elements of the plan which include but are not limited to elements such as minor shifting of the established lines, location of buildings, proposed private streets, pedestrian ways, utility easements, parks or other public open spaces may be authorized by the Planning Director if they are consistent with the purposes and intent of the plan. All such approvals shall be considered permanent and become a part of the plan.
- b. The Planning Director may permit dwelling unit density transfers up to 10% between units within the specific plan of development provided:
  - 1. the procedures for such transfers are explicitly stated within the plan and will be allowed only once per unit;
  - 2. Density transfer proposals indicating donor and recipient areas are submitted to the department for administrative review and approval; and
  - 3. the overall density of the plan is not exceeded.
- c. All other changes in the Specific Plan of Development must be made by the Board of Supervisors, under the procedures authorized by this code for the amendment of the zoning map. No changes may be made in the Specific Plan of Development unless they are required for the continued successful function of the planned development, or unless they are required by changes in conditions that have occurred since the plan was approved or by changes in the development policy of the County.
- d. Any building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the Specific Plan of Development unless an amendment to the plan is approved under Paragraph c.
- e. Changes in the use of the common open spaces may be authorized by an amendment to the plan under Paragraph c.

**Sec. 3309 FLOODPLAIN MANAGEMENT ORDINANCE:** Notwithstanding any provision contained in this Article, the Floodplain Management Ordinance shall supersede this Article in the event of conflict between their provisions and any variance from the Floodplain Management Ordinance shall be obtained as provided therein.

**Sec. 3310 MINIMUM PLANNED AREA DEVELOPMENT REQUIREMENTS AND LIMITS:** The following requirements and limits are mandatory for all Planned Area Developments and may not be waived or modified without amendment of this Section by the Board of Supervisors.

- a. Minimum Lot Size and Minimum Common Area:
  - 1. No residential lot for any manufactured/mobile home or travel

- trailer/recreational vehicle in any PAD shall have an area of less than 1,800 square feet.
2. No residential PAD, or the residential portion of any PAD that includes commercial, industrial or other areas, shall have less than fifteen (15%) percent of its gross total residential area allocated to open space or other common areas or facilities. Commercial or industrial areas do not require the 15% open space allocation. The open space requirement of any PAD, as approved by the Board of Supervisors, must be transferred with any portion of the PAD which might be sold or reassigned. Buildings, structures, required yards, driveways, parking lots, streets, alleys or other surfaces designed or intended for vehicular travel shall not be included in the 15%.
  3. Sec. 1 of the above requirement may be waived by the Planning Commission and Board of Supervisors where the density of the underlying zone is preserved. In such a case, no more residential lots shall be permitted than would have been allowed had the entire residential project been developed in accordance with the underlying zoning. The remaining space shall be allocated to open space, parks, recreational facilities or other common area, but it shall not count towards streets, sidewalks and entry areas. PADs that include manufactured/mobile home lots or travel trailer/recreational vehicle lots shall have an underlying zone of (MH) Manufactured/Mobile Home Zone or (RV) Recreational Vehicle Homesite Zone for those purposes respectively.
- b. Minimum Standards for Private Streets: Any private streets approved by the Planning Commission and the Board of Supervisors as part of a PAD shall meet the minimum requirements for composition and thickness of paving contained in the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended.

**Sec. 3311**      **EFFECTIVE DATE OF PAD:** Notwithstanding any provision contained in this Article, or any other provision of this Ordinance, no PAD approved by the Board of Supervisors shall vest any rights in the applicant or affect the underlying zoning until the restrictive covenants in their final form shall be recorded with the County Recorder.

## ARTICLE 33A

### DESIGN REVIEW OVERLAY ZONE (DRO)

**Sec. 3325-A DEFINITIONS:** The DRO is an economic and aesthetically motivated regulation to protect property value and promote the general well being of the community.

1. **DESIGN REVIEW OVERLAY ZONE:** An area subject to review of additional architectural and environmental impact standards as outlined in the associated design review plan. The provisions of this article shall apply only to multiple-family developments, commercial or industrial establishments, and public or semi-public uses and all signing for such uses.
2. **DESIGN REVIEW PLAN:** A scheme of the area that will consist of a written narrative text which shall address design and exterior architectural appeal, building form and landscaping. In order for proposed structures not to be so at variance with the structures already constructed, or in the process of construction, as to cause a substantial depreciation in the property values of the neighborhood.
3. **GENERAL WELFARE:** For the purpose of this article, general welfare shall be defined as the preservation of neighborhoods or community character or the attainment of economic objectives such as the preservation of property values or promotion of tourism.
4. **MAJORITY:** For the purpose of this article, majority shall be defined as 51% of the property owners within the design review overlay zone.
5. **PROPOSED DEVELOPMENT:** Any new construction, alteration, expansion or modification to the exterior of any building or structure which requires a building permit as defined in the Pinal County Building Code.

The DRO overlay zone is an overlay zone that shall be used only when a majority of property owners in the overlay area affirm such wishes for an overlay zone, in order to allow for economic and aesthetic concerns. Each specific DRO overlay zone and plan shall require approval by the Board of Supervisors.

**Sec. 3326 PURPOSES AND INTENTS:** The purpose of this article is to establish the process for creation and adoption of a design review overlay zone and its associated design review plan. In order to protect and preserve property values and enhance certain scenic vista areas of the County, the Board of Supervisors, upon recommendation by the Commission and the affirmation of the wishes of the affected property owners, may apply the design review overlay zone, in addition to an existing zone classification as specified in this ordinance. Additionally the purpose of this article is to accomplish the following objectives:

- A. To ensure that the development, buildings or structures will assist in the conservation of the values of adjacent properties and will not prove detrimental to the character of buildings or uses already established in the area.
- B. To ensure that the proposed development will be properly related to its site and to surrounding sites and structures, and to prevent the construction of structures that would conflict with their environment.
- C. To ensure that sites, projects and structures subject to design review are developed with due regard for the environmental qualities of the natural terrain and landscape, and, that nature/native vegetation, scenic vistas and topography are not indiscriminately destroyed.
- D. To ensure that the design and exterior architecture of proposed structures will not be so at variance with either the design or exterior architecture of the structures already constructed or being constructed in the immediate neighborhood as to cause a substantial depreciation of property values in the neighborhood.



- E. To ensure that open spaces, parking areas, drainageways and landscaping are designed to enhance property value and to screen deleterious uses.
- F. To ensure that the proposed development complies with all of the provisions of this ordinance and goals and objectives of the comprehensive plan or any amendment or element thereof or specific plan for the area.

**Sec. 3327**      **AUTHORITY:** Pursuant to A.R.S. § 11-802 which authorizes and provides for the Board of Supervisors to conserve and promote the public health, safety, convenience and general welfare, in addition to planning and providing for future growth and improvement of the County through adoption and enforcement of any ordinance. This ordinance seeks to promote the general welfare by way of or as a means of conserving the value of property and encouraging land use that protects the natural scenic beauty of the area (or County).

**Sec. 3328**      **SPECIAL PROVISIONS:**

- A. Within the design review overlay zone, all uses permitted in the underlying zone with which the design review overlay zone is combined are permitted.
- B. The provisions of this article shall be applicable only to multiple-family developments, commercial or industrial establishments, and public or semi-public uses and all signing for such uses. For the purpose of this article, multiple-family developments shall be the same as Sec. 422 Dwelling, Multiple, of this ordinance, a building or portion thereof containing three or more dwelling units.
- C. Upon application for a design review overlay zone to a specific area of the County, the Board of Supervisors, upon recommendation of the Commission, shall establish design guidelines in the form of a design review plan for that specific area which reflect public consensus. Said guidelines may include but are not limited to exterior design, materials, textures, colors and means of illumination.
- D. The approved design review plan is to serve as the official document for the Commission, Board of Supervisors, and all County officials and agencies for accomplishing coordinated physical development within the design review overlay zone.
- E. All development described in B. above, including buildings, structures, landscaping, drainageways and site layout to be located within the design review overlay zone shall be first approved under provisions of this article by the Planning Director or Assistant Planning Director prior to the initiation of such development. Interior remodeling and non-structural exterior alterations (gas, electric, water) are not included.
- F. Any violation of provisions of this article shall be subject to the enforcement provisions of Article 27 of this ordinance.
- G. Public consensus shall be determined to be notarized petitions containing signatures of approval of 51% of the affected property owners lying within the design review overlay zone boundary.
- H. If any conflict should arise between this article and Article 22 of this ordinance which regulates signs, bill-boards, name plates and other outdoor advertising for signage within the County, this article shall prevail within an approved DRO zone.

**Sec. 3329**      **INITIATION OF A DESIGN REVIEW OVERLAY ZONE:** The Commission shall initiate development and application of a design review overlay zone in conjunction with other zoning districts described in the Pinal County Zoning Ordinance with the following procedures:

- A. Any person or group proposing that the Commission initiate a design review overlay zone shall file with the Commission an application for such development review overlay zone on the form adopted by the Commission.
- B. The completed application must be accompanied by a uniform, non-refundable filing fee as established by the Board of Supervisors.
- C. Upon receipt of such application, the Commission shall direct staff to assist the applicant, in conjunction with a seven member design review board appointed by the Board of Supervisor member from the applicable supervisorial district, in establishing the design review overlay zone boundary and associated design review plan.

- D. The seven member design review board (appointed per each design review overlay zone) will be appointed by the Board of Supervisors member for a term of three years and shall be comprised of at least one member from the building/construction profession, one member from the architectural profession, two members from the business community within the proposed zone, one member from the real estate profession, and two members from the community at large.
- E. The design review committee shall meet as they deem necessary with County staff, members of the public and affected business community and determine the design review overlay zone boundary, and draft the associated design review plan.
- F. Once the zone and plan are complete, staff shall proceed with the formal review and approval process before the Commission and the Board of Supervisors.
- G. Upon receipt by the Commission of a completed design review overlay zone map reflecting the boundary of the zone in conjunction with a completed design review overlay plan, the Commission shall hold at least one hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in Pinal County. Notice of the proposed plan shall be given to all property owners any part of whose property lies either within the area of proposed design review overlay zone and all properties any part of which is within 300 feet of the proposed design review overlay zone. Additional notice will be given by posting the area included in the proposed design review overlay zone. The Commission may hold additional public hearings and give additional notice as they deem reasonable.

**Sec. 3330 PLAN DOCUMENT:** Design review overlay zones adopted after the effective date of this article shall consist of a map defining the extent of the area involved, and a written narrative text of the plan's goals and policies which shall address, at a minimum, design guidelines for site development, architectural character, building form and landscaping through criteria related to building placement, circulation, exterior design, materials, textures, colors, means of illumination and signs. Guidelines may include design criteria related to driveways, pedestrian walks, fences and walls, off-street parking areas including entrances and exists, landscape varieties and sizes of plant materials, architectural drawings or sketch requirements, and grading and drainage plans. The completed design review plan will be submitted to the Commission for review and/or revision and approval. Once the proposed design review overlay zone and its associated plan have been approved by the Commission, it shall then be forwarded to the Board of Supervisors for adoption.

**Sec. 3331 DEVELOPMENT APPLICATIONS REQUIRED:** Any proponent, agent or sponsor of any applicable development, as determined in Section 3328.b above, to be located in an approved design review overlay zone adopted after the effective date of this article shall first file a design review application for consideration and review by the Planning Director or the Assistant Planning Director and one member of the design review board appointed by the members of the design review board. Said design review shall take place as part of the existing building/zoning review process.

Said application shall be accompanied by a uniform, non-refundable filing fee as established by the Board of Supervisors. Said application shall contain the following:

- A. A site plan, drawn to scale, showing the proposed location of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences and walls. The site plan shall indicate the locations of entrances and exits and the direction of traffic flow into and out of off-street parking areas.
- B. A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and/or proposed to be retained on the site, the location and design of landscaped areas and the varieties and sizes of plant materials to be planted therein, and other landscape features including sprinkler and irrigation systems.
- C. Architectural drawings or sketches, drawn to scale, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified.
- D. Accurate scale drawings of all signs indicating their size, material, color, and

illumination, if any.

E. Grading and drainage plans.

F. Such other data as may be required by the specific design review plan to ensure that the purposes of this section are satisfied.

**Sec. 3332 ACTION BY THE PLANNING DIRECTOR:** Within 30 days of the date the development drawings or the final required amendment thereof are submitted to the Planning and Development Services Department for review as shown in 3331 above, the Planning Director shall act on the proposal. Failure to act within 30 days shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

**Sec. 3333 EFFECTIVE DATE OF DESIGN REVIEW DECISION:** A decision of the Planning Director will be effective immediately upon receipt by the Planning and Development Services Department of a signed agreement to the conditions of approval; provided, however, that the applicant may appeal said decision to the Commission within fifteen (15) days from the date of such decision.

**Sec. 3334 ACTION OF THE PLANNING COMMISSION:** At its next regular meeting following the filing and proper notice of an appeal from a decision of the Planning Director on a design review, the Commission shall affirm, conditionally affirm or reverse the decision of the Planning Director. The applicant or the Planning Director may appeal said action of the Commission to the Board of Supervisors within fifteen (15) days from the date of such action. Failure of the Commission to act within the time period prescribed in this section shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

**Sec. 3335 APPEAL TO THE BOARD OF SUPERVISORS:** A decision of the Commission on a design review as prescribed in Section 3334 above may be appealed to the Board of Supervisors by the applicant or the Planning Director. At its next regular meeting following the filing and proper notice of an appeal from the action of the Commission, the Board of Supervisors shall affirm, conditionally affirm or reverse the decision of the Commission. Failure of the Board to act within the time period prescribed in this section shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

**Sec. 3336 LAPSE OF DESIGN REVIEW APPROVAL:** Design review approval shall lapse and shall be void one year following the date upon which the plans and drawings were approved unless prior to the expiration of the one year a building permit is issued and construction is commenced and diligently pursued toward completion.

## ARTICLE 34

### OUTSIDE STORAGE and PARKING

**Sec. 3401      OUTSIDE STORAGE AND PARKING:** It shall be unlawful and a violation of this Ordinance for any resident/occupant or owner of record or both to leave or permit to remain outside any objects, scrap, appliances, vehicles, or any other materials, except as provided by this Article.

**Sec. 3402      ACCESSORY USE:** Outside storage and parking provided by this Article is an accessory use and shall not be permitted unless a primary use has been previously established.

**Sec. 3403      APPLICATION:** This Article shall apply to outside storage and parking in all residential and rural zones.

**Sec. 3404      DEFINITIONS:** For the purpose of this Article the following definitions apply:

- a.      Owner or Owners of Record: The person(s) or entity indicated on the records of the Pinal County Assessor as the owner of the property in question on the date of an alleged violation.
- b.      Motor vehicle parts, components, accessories: Any part, component or accessory from any vehicle propelled by means of an electric, gasoline, diesel, propane, or alcohol fueled engine.
- c.      Recreational Vehicle: Any item of personal property driven or hauled for recreational uses including, but not limited to: travel trailers, motorhomes, boats, boat trailers, tent campers, buses or other recreational items.
- d.      Resident/occupant: A person or persons who are occupying a building or structure and are using it as a place of abode, a place of residence or a place to live on either a temporary or permanent basis.
- e.      Scrap: Any item or substance which in its present condition is not and cannot be used for the original use intended or, that which has been discarded.

**Sec. 3405      VEHICLE PARKING:** Vehicles may be parked on residential or rural property provided said vehicles comply with ALL the following requirements:

- a.      Vehicles must be owned or leased by the current resident/occupant of the parcel.
- b.      Vehicles shall not be up on jacks, blocks or other similar equipment.
- c.      Vehicles shall not have deflated tires, nor have the chassis, engine, body parts, wheels or tires removed.
- d.      Said Vehicles shall not be parked in such a manner as to block access to sidewalks or driveways/entrances to any other property.
- e.      Vehicles must have a current, valid registration affixed to the license plates.
  - 1.      The lack of a current license plate and/or license tag or an expired license tag affixed to a vehicle shall constitute proof that a vehicle does not have

- a valid and current registration.
- f. No more than two (2) personally owned vehicles may be offered for sale at any one time.
- g. Vehicles must currently be operable.

**Sec. 3406 RECREATIONAL VEHICLE STORAGE:** Recreational Vehicles may be stored on a parcel provided they conform to the requirements listed in Section 3405 above and are not connected to any utility source and not in use for sleeping or living purposes.

**Sec. 3407 FURNITURE AND APPLIANCES:** Furniture and appliances may be placed outside on a parcel provided:

- a. All appliances are in operating condition and connected for the private use of the resident/occupant.
- b. Any furniture placed outside is in usable condition and designed for outdoor use.

**Sec. 3408 CONSTRUCTION MATERIALS:** Construction materials may be stored on any property provided a valid building permit has been obtained from the appropriate Department and following provisions are met:

- a. No building or construction materials or scrap thereof shall be stored or placed within the front yard setback required by the zoning district in which the property is located.
- b. No building or construction materials or scrap thereof shall be stored or placed within ten (10) feet of side or rear property line nor shall it be stacked higher than six (6) feet.
- c. All building or construction materials or scrap thereof shall be removed within thirty (30) days after completion of the construction or prior to the issuance of a certificate of occupancy by the Pinal County Building Code Administrator, whichever occurs first.

**Sec. 3409 FIREWOOD:** Any resident/occupant may store firewood outside on any property provided the following requirements are met:

- a. Firewood stored is for personal use on the parcel which it is stored upon.
- b. Firewood stored or placed on the property meets all required yard setbacks for an accessory building in the zoning district in which it is located.
- c. Firewood is not stacked higher than four (4) feet.
- d. All firewood is stacked in an orderly fashion and in such a manner to avoid its movement onto adjacent property, streets, sidewalks, rights-of-way, parking areas, easements or driveways.

**Sec. 3410 OTHER ITEMS:** All other items, objects, material, parts, scrap, motor vehicle components, or any other item of personal property that does not conform to the Sections above may be stored provided ALL of the following requirements are met:

- a. The item or object is currently operable, and
- b. The item, object, material or part is for use on the property, and
- c. The item, object, material or part is totally screened from view of any contiguous property, public street, right of way or easement.
  - 1. Said screening shall be by means of a solid wall or fence, landscaping or a combination of the above, achieving the same effect, and
- d. the following requirements and setbacks from the nearest property line are complied with:

Distance to the front property line	Distance to the side & rear property lines	Square Footage of storage permitted	Maximum height of storage
60 FEET	20 FEET OR LESS	NONE	4 FEET
60 FEET	20.1 FEET TO 100 FEET	100	6 FEET
100 FEET	100.0 FEET TO 300 FEET	200	6 FEET
200 FEET	300.1 FEET OR MORE	300	6 FEET

**Sec. 3411 COMPLIANCE:** Outside storage not complying with this Article is hereby deemed a public nuisance and shall not enjoy any right to continuation, restoration, exchange of uses, or expansions as if a lawful non-conforming use, and shall be abated.

**Sec. 3412 VARIANCES:** For the purpose of this Section, and for the Public health, safety, peace, comfort, convenience and general welfare of the citizens of Pinal County, Arizona, none of the regulations contained in this Article shall qualify for the variance procedures of Article 25.

# APPENDIX

<b>SIGN REVIEW COMMITTEE</b>		
<b>EVALUATION SHEET for SECTION 2215</b>		
<b>1. Placement Considerations</b>		
Are Sign(s) Visible and readable?		
Purpose of the Sign(s)		
Location relative to -traffic movement -access points -site features -structures		
Sign Orientation relative to -viewing distances -viewing angles		
<b>2. Quantity Considerations</b>		
Size of Development		
No. Of Sub-Areas		
Division/Integration of sign functions		
<b>3. Size Considerations</b>		
Topography		
Volume of Traffic		
Speed of Traffic		
Visibility Range		
Proximity to Adjacent Uses		
Amount of Sign Copy		
Placement of Display		
Lettering Style		
Presence of Distractive Influences		

<u>50% + Maximum Hgt Allowed Requested</u>		
<u>25% + Maximum Area Allowed Requested</u>		
<b>4. Material Considerations</b>		
<u>Materials for Structure &amp; Faces</u>		
<u>Complementary Colors</u>		
<u>Similarity of Architectural Style</u>		
<u>Consistent Lettering Style</u>		
<b>5. Context</b>		
<u>Lettering Style</u>		
<u>Sign Placement</u>		
<u>Architectural Style</u>		
<b>6. Additional Considerations</b>		
<b>A.</b> <u>Ensure views of/or from adjacent properties are not impaired</u>		
<b>B.</b> <u>Ensure the signs do not interfere with public utilities, government uses, transportation, landscaping, or other factors felt relevant by the SRC.</u>		
<b>C.</b> <u>Ensure the width of the street, traffic volume, and traffic speed warrant the proposed signage.</u>		
<b>D.</b> <u>Ensure the signs do not pose a hazard to public safety.</u>		